

A N  
A B R I D G M E N T  
O F T H E  
*L A W S O F J A M A I C A ;*

B E I N G A N  
A L P H A B E T I C A L D I G E S T  
O F A L L T H E  
*P u b l i c A c t s o f A s s e m b l y n o w i n F o r c e ,*

F R O M T H E  
Thirty-Second Year of KING CHARLES II.  
T O T H E  
Thirty-Second Year of his present Majesty KING GEORGE III.  
I N C L U S I V E ,

A S P U B L I S H E D I N T W O V O L U M E S ,  
Under the Direction of Commissioners appointed by 30 Geo. III. cap. xx. and  
32 Geo. III. cap. xxix.

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S T . J A G O D E L A V E G A , J A M A I C A :  
P R I N T E D B Y A L E X A N D E R A I K M A N ,  
P R I N T E R T O T H E K I N G ' S M O S T E X C E L L E N T M A J E S T Y .  
M . D C C . X C I I I .



A B R I D G M E N T

L A W S O F J U R I S P R U D E N C E

A L T H O U G H I N A L L P A R T S

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*Passed between the Years 1680 and 1793.*

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# E R R A T A.

The act 13 Geo. III. cap. xi. "to oblige collecting constables, in a summary manner, to pay over public taxes," which was omitted from its proper place, on the supposition that it was *expired*, is printed at the end of this Abridgment

Cl. 8 of 33 Car. II. cap. xxiii. respecting Attachments, which is said in the marginal note to be *repealed*, is now again in force, the act which repealed it having expired.

[ *The above-mentioned act and clause are fully detailed in the Abridgment.* ]

The act 28 Geo. III. cap. xvii. "for repairing the road from St. Jago de la Vega to the junction of the Mayday-hill road," has been repealed, since it was printed, in 33 Geo. III.

## IN THE ABRIDGMENT.

page	To the article	add
2	Accessaries	See FORGERY
3	Actions	PERSONAL <i>actions</i>
10	Assembly, house of	INVASION
17	Attornies	INDORSEMENT of <i>writs</i>
19	Bagnall's	ST. THOMAS in the <i>Vale</i>
25	Beneficed ministers	REGISTERS
27	Bodies politic and corporate	PUBLIC <i>workhouses</i>
29	Bridges	WESTMORLAND
31	Carenage	PORTLAND
35	Churchwardens	GAOLS--REGISTERS
36	Clearances	DROGGERS--DUTIES
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53	Courts of assize	MANUMISSIONS
ib.	Courts of common pleas	KINGSTON--PORT-ROYAL
57	Debtors	INDEBTED <i>persons</i>
59	Default	SUPREME <i>court</i>
ib.	Deficiency	LOSSES
70	Executors	INDORSEMENT of <i>writs</i>
130	Marriages	UNQUALIFIED <i>ministers</i>
135	Nulla bona	WRITS of <i>replevin</i>

Page 89, under Grants of public money, add,

150*l.* *per ann.* for maintaining the wall of Port-Royal 4 Geo. I. iii. 1  
An additional sum for the navy-yard at Port-Royal, to be paid as soon as the  
lands required shall be surveyed and valued. 14 Geo. II. ii. 2

page	line	page	line
3	10 <i>dele</i> testators or	34	3 <i>for</i> x. 1 <i>read</i> x. 2
20	30 <i>after</i> viz. <i>insert</i> Kingston	46	7 <i>for</i> 31 Geo. II. <i>read</i> 31 Geo. III.
21	30 <i>for</i> 8 Geo. II. <i>read</i> 8 Geo. III.	55	31 <i>add</i> 32 Geo. III. xii. 2
22	13 <i>read</i> 4 Geo. III. viii. 2, 3	70	32 <i>dele</i> or <i>intestates</i>
32	41 <i>after</i> bullock, <i>add</i> heifer	101	33 <i>dele</i> Executors
33	15 <i>for</i> viii. 1 <i>read</i> viii. 2	246	1 <i>for</i> Attories <i>read</i> Attornies

ABRIDGMENT



# ABRIDGMENT

OF THE

## LAWS OF JAMAICA.

---

### Abettors.



- HOSE who aid or abet in the counterfeiting or impairing coins which, either by law or general agreement, are made current here, are to be deemed guilty of felony, without benefit of clergy 14 Geo. III. xviii. 1
- Persons who assist to drive away, or otherwise steal, any sheep, lamb, goat, or kid, are to be deemed felons, and suffer as the court thinks fit 31 Geo. III. xix. 2
- If any slave abet another in getting off the island, he is to suffer death, or such punishment as the court thinks proper 32 Geo. III. xxiii. 67
- If Indians or free people of colour knowingly offend as above, they are to be transported, and suffer death if they return; 68
- And if white persons are guilty in the premises, they are to forfeit 100 l. for each slave abetted, and be imprisoned at discretion of the court, not exceeding twelve months 69
- Such abettors may be proceeded against, though principals are not convicted 70

### Absentees.

- Persons who do not reside in the island, and who hold lands continuing unsettled, are (unless orphans) to pay their arrears of quit-rents, and settle part of the lands, within two years; otherwise, proclamation is to be made in grand court, the two next courts after failure, when they may be seized, and re-granted 8 Gul. III. i. 2
- Those who have no effects here, whereon distraint may be made, are to pay in eighteen months after February 1, 1703, or proclamation be made, and lands seized 2 Ann. vii. 9



- They may convey away lands and tenements by bill of sale or other conveyance, acknowledging it before particular magistrates 15
- If discovery be made of any of their lands for which no quit-rents have as yet been paid, and the informer pays them, as well as gives security to settle the lands, he is to have a grant of them 6 Geo. II. vii. 4
- Security provided against their lands being unduly forfeited, on account of the non-payment of quit-rents 9 Geo. III. ix. 1--8
- Their lands are to be forfeited, if no quit-rents have been paid for twenty years, although quit-rents have been formerly paid 13
- They may bring actions to recover slaves that have been sold under *venditioni exponas* during their absence, in five years after the sale thereof 23 Geo. III. xiii. 1
- See BREACHES of trust, &c.--COMMISSION--FORFEITED lands--PUBLIC workhouses.

#### Abuses in trade, prevention of.

See BOARDS, plank, scantling, and ranging timber--COOPERS--LIQUORS--INVOICE  
--SHINGLES--STAVES--TIMBER.

Acceptance. See FORGERY.

#### Accessaries.

- Those who knowingly receive stolen goods, or harbour thieves, are to be deemed accessaries in the felonies, and suffer as principals 15 Geo. III. x. 1
- Although principals be pardoned, or otherwise delivered before attainder, accessaries, either before or after the fact, may be proceeded against, and punished, as if principals had been attainted 2
- They may, if principals cannot be found, be punished as for misdemeanors; which exempts them from further prosecution when principals taken 3
- Any slave who is accessory to another slave preparing or giving any poison or poisonous drug, is to suffer death, or be transported for life, though death do not ensue 32 Geo. III. xxiii. 45

#### Accompong's Town.

One thousand acres of land in St. Elizabeth's granted for this town. Its boundaries ascertained 31 Geo. II. ix. 2

See MAROONS.

#### Accounts of sales.

Must be annually recorded by mortgagees in possession 25 Geo. III. x. 3

Ace of hearts. See GAMING.

Acquittance. See FORGERY.

#### Action of waste.

No action of waste is to be permitted to be brought, or allowed to lie, in any court in this island 33 Car. II. xxiii. 6

See GENERAL issue.

Actions,



**ACTIONS.**

See COURTS--COURTS of assize--PROCESS--SUPREME court--WRITS of error.

Ass of assembly. See LAWS.

**Additional duty.**

To be under the cognizance of any three of the commissioners of public accounts, when assembly not sitting 15 Geo. III. iv. 1

Additional salary. See SALARY.

**Administrators.**

They must not plead the rule of executors partially, to the injury of any creditor of the testators or intestates 29 Geo. III. xiii. 3

See ASSIGNMENTS of bonds, and of judgments--BREACHES of trust, &c.--BAIL-BONDS--COMMISSION--GENERAL issue--INVEIGLING slaves--LEVIES--MUTUAL debts--PRIVILEGE of assembly--QUIT-RENTS--RENTS--SALE of slaves under venditioni exponas--SATISFACTION--SECURITIES for money--SLAVES--SPANISH-TOWN road--WRITS of error.

Admiral. See NAVAL commander.

**Admiralty, court of.**

Treasons, murders, piracies, and other offences committed upon the sea, or in any haven, &c. whereto the admiral's jurisdiction extends, are to be tried within the island; for which purpose commissions are to issue under the great seal, directed to the judge of the admiralty, and commissioners appointed by the governor, who hereby are invested with full powers to try and condemn offenders. Former proceedings against such criminals confirmed, and judges, &c. indemnified 33 Car. II. viii. 2

Establishment of fees to be taken by the judge and other officers of the court 10 Ann. iv. 29

Table of fees allowed by this act is to be always open in the register's office; and if any officer take more, he forfeits 100 l. and becomes incapacitated 34

Penalties on illicit trade may be recovered in the court of vice-admiralty 29 Geo. II. iv. 1

Attornies, solicitors, &c. must be admitted as herein directed, before they are allowed to practise in this court 14 Geo. III. iii. 1

**Affidavits.**

See ARRESTS--COMMISSIONERS for taking affidavits.

**Agent for the island.**

Stephen Fuller, esquire, appointed to for three years 32 Geo. III. iii. 1  
He is to have 300 l. sterling per annum, and his disbursements 5



This act is to be in force till 9th December, 1794

6

See COMMISSIONERS of correspondence.

### Agents.

See ASSEMBLY, house of -- BREACHES of trust, &c. -- COMMISSION -- POSSESSION --  
QUIT-RENTS -- RENTS.

### Alarm.

In case of an insurrection, or other lawful occasion, four muskets or small arms, distinctly fired, shall be taken for an alarm, from quarter to quarter; and any person neglecting to forward an alarm, or causelessly firing any small arms after eight o'clock at night, shall be punished at discretion of a court-martial, not extending to life or limb

33 Car. II. xxi. 12

### Ale.

A duty of 40 s. per ton to be paid on importation

1 Geo. II. i. 1

### Aliens.

Aliens settling and planting in this island may be naturalized by the governor, on taking the oath of allegiance

35 Car. II. iii. 1

Fees to be paid by them

2

Their sales and devises ratified

3

Those not giving in their names and vocations to a magistrate, within thirty days after their arrival, are to forfeit 100 l. and (unless they belong to some vessel) be transported, if they do not get naturalized in thirty days. Lists of those who give in their names are to be kept for public inspection. They must not visit any fortifications without leave from the governor

12 Geo. I. xi. 3

Foreigners or aliens allowed to lend money at lawful interest, on security of freehold and leasehold estates here, which is to be effectual for them

13 Geo. III. xvi. 1

If security forfeited, the estate mortgaged is, from thenceforth, to become vested in the president of the council, the speaker of the assembly, and the chief justice, and the lender, his heirs, &c. may, in their names (which they are to allow him to use), prosecute such securities to a sale; but no such alien or foreigner is to enter into actual possession of any lands or estates, or to foreclose the equity of redemption

2

This is to be deemed a public act

3

### Alligator's head.

Plate manufactured here is to be marked with it by the assay-master, if of the standard prescribed

30 Geo. II. xvi. 2

If any other persons so mark plate, they are to be deemed felons

10

### Alphabets. — *see Alphabet*

To be kept of the names of patentees, parties to deeds, &c.

11 Ann. iv. 3, 4, 5

Fore and back, to be kept of judgments obtained in grand and assize courts

14 Geo. III. xxviii. 17

See PRIORITIES -- RECORDS -- REGISTER in chancery and clerk of patents -- SECRETARY.

Amendments.



## Amendments.

On motion in open court, judges are to order them to be made, where error in form has occurred

33 Car. II. xlii. 5

Amerciaments. See FINES, forfeitures, and amerciaments.

## America.

Persons inhabiting, or who within four years past have inhabited, or shall hereafter inhabit, this island, serving foreign states in America, against allies of Great Britain, without license, declared felons, and, being convicted in the supreme court, are to suffer death. Exemption for those who return in a limited time, and give security

33 Car. II. viii. 1

Those who harbour or correspond with such offenders, or do not endeavour to have them apprehended, are to be prosecuted as confederates

3

See BOARDS, plank, scantling, and ranging timber--CURRENT coin--PROBATES--SHINGLES--STAVES--SUGARS--TIMBER.

## Anchorage.

No grant to be valid that shall be prejudicial to it

35 Car. II. xii. 1

Anniversary fasts. See FASTS.

## Annotta-Bay.

A beam, pair of scales, and set of standard weights, to be kept here

23 Geo. II. vi. 1

In order to keep this harbour in repair and good order, commanders of vessels arriving here are to pay the following duties to the water-bailiff: Those trading to the north of the tropic of Cancer, for every three-mast vessel, 15 s.; for every brigantine, snow, or bilander, 10 s.; and for every sloop or schooner, 7 s. 6 d.: Those trading between the tropics, are to pay half those sums; and droggers are to pay 2 s. 6 d. every three months

25 Geo. III. xvi. 1

If the receiver-general, or his deputy, clear out any vessel chargeable with the above duties before they are paid, or before a certificate be produced from the water-bailiff of their having been paid, he forfeits 50 l. for each offence; such water-bailiff having first left with him a certificate from the commander, that the water-bailiff's duty has been performed in mooring the vessel

Every commander is, in three days after mooring his vessel, on application made by or for the water-bailiff, to sign such certificate, under penalty of 40 s.

Governor is to appoint a water-bailiff, for the orderly government of the harbour, and that all vessels may anchor and moor in a proper manner

Water-bailiff must be sworn to act impartially, and to execute the office according to the usage of Great-Britain

He is to be allowed 50 l. per ann. by the parishes of St. Mary and St. George

If the water-bailiff, by ignorance or negligence, moor any vessel so that damage occurs, he is liable to make compensation. No commissioner or wharfinger can be appointed a water-bailiff

7  
Justices



Justices and vestrymen of St. Mary and St. George appointed commissioners for carrying this act into execution

9

Disputes about mooring vessels are to be settled by commissioners; whose directions water-bailiff is to follow, under penalty of 20 l. for each offence

8

No ballast is to be thrown overboard in the harbour, under penalty of 50 l.

10

The harbour-master is to take charge of any vessel that happens to be set on fire, to stop its progress; and if any persons obstruct him therein, they are to forfeit 500 l. each

11

See STANDARD weights.

Annuity, see Qualification

If it arise from lands or houses which pay public and parochial taxes, it constitutes a freehold, and confers the right of voting for members in assembly;

21 Geo. III. xv. 7

But, if required, it must be attested, and that the claim is not fraudulent

9

Apostles-Battery.

Excepted from the forts to which officers and gunners are not to be appointed

32 Geo. III. x. 4

Appraisements. See EXECUTORS--ORDINARY.

Arms, accoutrements, and ammunition.

Those who knowingly receive any from soldiers quartered here are to forfeit 5 l. for each offence, or, if the penalty be not paid in four days, be otherwise punished

5 Geo. III. viii. 2

In case of a war, the governor is authorized to prohibit the exportation of arms and ammunition, naval or military stores, unless a certificate be first obtained from the collector or naval officer

31 Geo. III. xi. 2

Collector, naval officer, their deputies or waiters, are to go on board every flag of truce and other vessel, and examine that no more arms or stores are carried out than specified in certificates

3

If more be found, vessel and all her cargo are to be confiscated

4

Collector or naval officer is to proceed against vessel and cargo, by information, in the supreme court

5

After the arms and accoutrements, which the agent has been directed to send hither for the militia, are delivered out, those which each militia-man receives are to be deemed the property of the proprietor of the plantation or other settlement on which the militia-man resides; and all such proprietors are constantly to keep in good order, at their own charge, the arms, &c. herein specified

32 Geo. III. x. 25

Arms, accoutrements, and ammunition, are to be given-in for (on oath herein specified) at each quarterly vestry,

26

Or within thirty days thereafter; and, in default, a fine of 20 l. is to be levied, as well as a fine of 5 l. for each stand of arms and accoutrements, or ammunition, deficient

27

Proprietors



Proprietors of plantations, &c. are to provide their white men with gunpowder for field-days 28

In the towns, the militia-men, having been once provided with arms by the public, must find their ammunition, &c. as well for service as field-days 29

No militia-man is to remove arms or accoutrements, with which the public or his employer has supplied him, from one parish or settlement to another, under penalty of 20*l.* or two months imprisonment 35

Information being given on oath, suspected places may be searched for concealed gunpowder, arms, or ammunition, as well as places where slaves are supposed to be supplied with them; and if any such articles are delivered to slaves for rebellious purposes, the offender is to suffer death, without benefit of clergy 55

If any fire-arms, gunpowder, flugs, or ball, be found in possession of a slave, he is to be punished at discretion of justices xxiii. 26

#### Arrack.

A duty of 1*s.* 6*d.* per gallon to be paid on importation 1 Geo. II. i. 1

#### Arrears.

Justices and vestrymen of each parish are to enquire into arrears of subscriptions and taxes, and levy for them 33 Car. II. xviii. 4

Arrears of quit-rents. See QUIT-RENTS.

#### Arrest of judgment.

Judges of courts are not, on arrest of judgment, for matter of form only, to reverse any judgment 33 Car. II. xxiii. 5

#### Arrests.

All persons are subject to be arrested, who are not freeholders of known residence 33 Car. II. vii. 12

No person is to be arrested, or held to special bail, unless an affidavit or solemn affirmation be made before a judge, or a commissioner for taking affidavits, of the cause of action. The sum specified in such affidavit is to be indorsed on the declaration delivered with the writ to the provost-marshal; for which sum he is to take bail, and no more 26 Geo. II. ii.

Where bail-bonds, taken by provost-marshal in cases of arrest on mesne process for debt, become forfeited, he may assign them to plaintiffs 25 Geo. III. ix. 1

#### Arsenals.

One to be built at each of the barracks herein specified 1 Geo. III. xix. 4

#### Artillery.

All corps or companies of them are hereafter to do duty with the regiment or battalion to which they belong 32 Geo. III. x. 10

Atape



**Affay.**

- The act of 33 *Car. II. cap. xix*, not proving effectual, governor, by warrants under his hand and seal, is to appoint assay-masters at his discretion 20 *Geo. II. xvi.*
- Workers in gold and silver to enter their names, &c. in the assay-office, under penalty of 10*l.* They are to carry their wares to be assayed; which, if below the standard appointed by the above-mentioned act, are to be broke; but if equal to it, the assay-master is to mark them with an alligator's head, and the initial letters of his name
- Assay-master's fees. Regulation for number of articles in an assay. Assays to be made by scraping a proportion from every piece;
- Which scrapings are to be returned. If assays disputed, wares must not be broken, but left with a magistrate, and be re-assayed, before all or any other assay-masters in the island, and also before a justice of peace, against a piece of old sterling plate with the Goldsmith's Hall mark upon it
- Certificates to be given of the quality of plate re-assayed, and expences to be borne by assay-master, if he has been wrong; but by the worker, if they are not standard. Goods purchased with the mark may be re-assayed; and if any imposition appear to have been made by the first assay-master, he forfeits 20*l.*
- Assay-masters must, before they act, under penalty of 20*l.* swear they will faithfully perform their office, and not break or deface articles of the standard appointed by 33 *Car. II.* and that they will not make any undue advantage of their said office; which oath the chief justice is to administer, and give a certificate that such assay-master has taken it
- If any workers in gold and silver sell or exchange any gold or silver wares (jewellery and small trinkets excepted) before they have been assayed and marked, they forfeit 20*l.*
- Assay-masters are to keep a public workhouse in the place they are appointed for, provide proper furnaces, tools, &c. attend Tuesdays and Fridays, and enter the pieces of gold and silver they assay, with their weight and fineness, in a book to be inspected without fee. Governor at his pleasure may supersede them; when they must destroy, or deliver to some other assay-master, all the standard marks, under penalty of 50*l.*
- Assay-masters may assay gold and silver in bullion, on which they must put the initial letters of their name, and a plain mark signifying the fineness of it, under penalty of 10*l.* This act not to restrain the sale of plate, &c. having the standard mark of Great-Britain or Ireland
- If any persons (except the assay-masters) mark any gold or silver wares with the alligator's head, or counterfeit the marks of sterling plate, they and their accomplices are to be adjudged guilty of felony, without benefit of clergy
- This act to be in force only when an assay-master is in the actual exercise of the office
- The above act revived, and made perpetual 28 *Geo. II. viii.*
- All species of plate brought to be assayed and marked must, as near as may be, have all the pieces foldered, or joined together, and no plate is to have more folder than is necessary

See PLATE.

Assembly,



Assembly, House of.

- Three representatives to be chosen for St. Catherine's, three for Port-Royal, and two for each other parish now or hereafter to be laid out; and marshal to give notice to persons elected, within ten days after. Representatives must be freeholders in the island, electors freeholders in the parish where they vote 33 Car. II. i.
- Three representatives added for the town and parish of Kingston 5 Gul. & Mar. iii. 1
- Westmorland endowed with the same rights as other parishes 2 Ann. i. 1
- Paranover invested with like privileges 10 Geo. I. v. 1
- Two representatives to be added for Portland at the end of three years viii. 4
- To make good deficiency in the revenue, if any happen 1 Geo. II. i. 19
- Speaker to be a governor of Wolmer's free-school 9 Geo. II. vi. 1
- Members to be governors of the free-school of St. Jago de la Vega 17 Geo. II. x. 2
- Beneficed ministers to vote for members, without taking any oath 21 Geo. II. vi. 3; 21 Geo. III. xv. 11
- Members to be directors of the Bath 22 Geo. II. xiii. 6
- Voters not to be arrested on election-day, nor forty-eight hours after xvi. 5
- Any beneficed minister, who is appointed chaplain to the house, is not to be considered as a non-resident of his parish, during sessions of assembly 11 Geo. III. xvi. 1
- Speaker to allow his name to be used for recovery of monies lent by aliens to settlers here 13 Geo. III. xvi. 2
- Trelawny endowed with the same rights as other parishes 14 Geo. III. xxxi. 1
- Members appointed commissioners of public accounts 15 Geo. III. iv. 1
- Speaker to be a trustee for the Spanish-Town bridge and road xxii. 2, 15
- Members to be directors of the Jamaica Spa 16 Geo. III. xx. 2
- No assembly hereafter convened is to have longer continuance than seven years from the day on which, by the writ of summons, it is appointed to meet 20 Geo. III. iii. 1
- Time fixed for the dissolution of the assembly now sitting: Governor's right of putting an earlier period to any assembly not affected hereby 2
- When any assembly shall in future be summoned, there are to be forty days between the teste and return of the writs. The provost-marshal is, with all convenient speed, to transmit warrants to the custos; or (in his absence) to some justice of the peace residing in the parish, directed to the constables, to warn the freeholders to appear at the election; and the custos or justice receiving and signing the warrants is to have them delivered to the constables, so that they may be able to give each of the freeholders five days notice, at least, of the time and place of election 21 Geo. III. xv. 2
- A separate day for each parish is to be appointed in the writs, so that no two parishes be elected for in one day; and if any writ be not executed on the day fixed, no new writ is to issue for that parish till after the meeting of the assembly 3
- The poll is to begin between eight and nine in the morning; and may be kept open till six in the afternoon, but no adjournment is to be allowed 4
- If any custos, justice of peace, provost-marshal or his deputy, neglect his duty herein, he is, for every offence, to forfeit 200 l.; and if any constable neglect his duty, he forfeits 20 l. 5



No regiment, company, or troop, is to be in arms on the day of election for the parish it belongs to; nor, after notice of an election, is any freeholder to be sent on a party till it be over (unless in case of actual danger), under penalty of 100*l*.

6

Specification of the different properties which are allowed to confer the right of voting, and of the time such properties must have been previously recorded in the office of enrolments and in the vestry books

7, 8

Voters, if required, must attest their freeholds. Quakers may vote, on affirming

9

If any person administer the oath or affirmation, or take any poll, but the provost-marshal or his deputy, they are to forfeit 500*l*. and be imprisoned a year

10

Either candidate, or a justice of peace, may administer the qualification oath to a returning officer, if he votes

12

On what freeholds, and how voters have sworn, are to be particularized. Polls are to be taken at the usual place of transacting public business: If election be contested, the original poll is to be sworn to, and sent to the secretary's office within a month, to be recorded and open to inspection

13

Register-book of freeholds is to be produced at opening the poll

14

If any conveyance be fraudulently made, in order to qualify a person to vote, with an agreement to re-convey the property, the conveyance is to be deemed free and absolute, and the property be enjoyed by the person to whom it has been conveyed, free from all conditions, powers of revocation, &c. Persons who execute such conveyances, or (being privy to the purpose) devise or prepare them, and those who vote in right of them, are to forfeit 500*l*. for each vote so created

15

No person is to vote in right of any trust-estate or mortgage, unless they have been in actual possession twelve months before the election; but the mortgager or *cestui qui* trust in possession may vote, notwithstanding the mortgage or trust

16

No person under the age of twenty-one is to vote; and those who are supposed to be in their minority may be required to attest their age

17

If marshal refuse votes from persons whose freeholds are duly entered in vestry-books, or accept them from others, he is to forfeit 500*l*. and be imprisoned

18

Previous to sitting or voting, every member is to swear that he has an estate (in his own or his wife's right) of the value of 300*l*. a-year, or an estate worth 3000*l*. in lands, &c. besides what is sufficient to pay all his debts; which oath is to be taken along with the oaths of allegiance and supremacy

19

Freeholders who are upwards of three degrees removed, in a lineal descent, from a negro ancestor exclusive, may vote for representatives, if educated in the Christian religion

20

Speaker to be a trustee of Titchfield free-school

26 Geo. III. vii. 1

When a petition complaining of an undue election or return is presented, house is to appoint day and hour for considering it, and speaker is to give notice to both parties, with an order to attend the house, by themselves, counsel, or agents. House may alter the time, like notice being given to the parties

27 Geo. III. i. 1

If various parties petition, they must all have notice. No petition is to be taken

into



into consideration in less than seven days after it is presented; but every petition must be presented within fourteen days after the return is brought to the house 2

On the day appointed for taking the petition into consideration, no other business, except swearing of members, is to be entered on previous to reading the order of the day; before which, the messenger is to go to the places adjacent, and require the immediate attendance of the members. On his return, the house is to be counted, and if there be not twenty-five members present, the order for considering the petition is to be immediately adjourned to a particular hour on the following day (Sunday and Christmas-day excepted) to which time the house is to adjourn, and the proceedings of all committees be void. On the following day, the house is to proceed in the same manner, and so from day to day, till there be an attendance of twenty-five members 3

When that number are present, the petitioners, their counsel or agents, and those of the sitting member, are to attend at the bar; and door of the house to be locked. The order of the day is then to be read, and the names of all the members, written or printed on distinct pieces of parchment or paper, of equal size, and rolled up in the same manner, are to be put in equal numbers into two boxes or glasses, and shaken together; from which the clerk is to draw them alternately, and deliver them to the speaker to read, till nineteen are drawn. If the name of a member who has voted at the election complained of, or of one against whose return a petition is depending, or whose return shall not have been brought in fourteen days, shall be drawn, such names are to be set aside, with those of absent members. If the name of a member who has served on a similar committee during the same session be drawn, he may be excused from serving again, unless the house have resolved that the number of members who have not so served is insufficient to fulfil the purposes of this act; but no member who, having been appointed to serve on such a committee, shall have been excused from attending it throughout, shall be deemed to have served 4

If any members offer excuses on oath, house is to judge of them; and if excuses allowed, other names to be drawn, under the same regulations, till the nineteen completed. Each party is to nominate one member whose name has not been drawn; but nominees may be set aside or excused, as above, and other members be nominated 5

As soon as the nineteen members are chosen, and the two nominees appointed, the door is to be opened, and the house may proceed on other business. Lists of the nineteen members are to be given to the parties; who are to withdraw, with a clerk, and alternately to strike off one, till the number be reduced to eleven. The clerk must, within one hour after withdrawing, deliver to the house the names of the eleven members remaining; who, with the nominees, are to be sworn at the table, well and truly to try the matter of the petition, &c. The house is to order the committee to meet in twenty-four hours after appointed (unless a Sunday or Christmas-day intervene), which they are to do in some convenient place adjacent to the house 6

If the name of a member be drawn that was intended for a nominee, it may be set aside, and another name be drawn. And if the petitioner or sitting member,



or their agents, do not nominate a member then present, the want of such nomination is to be supplied by drawing out the name of one or two members (as the case requires), who shall be added to the lists, and be liable to be struck off, as above, leaving the number of thirteen in the whole, and no more

Previous to the day for considering a petition, the names of all the members, written and rolled up as directed in *cl. 4*, are to be put into a parcel by the clerk, in presence of the speaker, with an attestation, signed by the clerk, that the names of all the members were by him put therein, on such a day; which parcel the speaker is to seal with his own seal, and, to the outside thereof, annex an attestation, signed by himself, that it was, on such a day, made up in his presence. As soon as the parties are withdrawn, as mentioned in *cl. 6*, and before the house enters on other business, any member may require that the undrawn names may be drawn, and read by the clerk

The select committee, on their meeting, are to elect a chairman from among those members who were chosen by lot; and if, in such election, there be an equal number of voices, the member whose name was first drawn in the house is to have a casting voice; so likewise, if there should be occasion to elect a new chairman

The select committee is to have power to send for persons, papers, and records, to examine witnesses on oath, to try the merits of the return or election, or both, and to determine, by majority of voices, whether the petitioner or the sitting member, or either of them, be duly returned or elected, or whether the election be void. Their determination is to be final between the parties; and the house, on being informed of it by the chairman, is to order it to be entered on the journals, and give the necessary directions for confirming or altering the return, or issuing a new writ

The committee is to sit every day (Sunday and Christmas-day only excepted), and never adjourn for more than twenty-four hours (unless those days intervene), without leave first obtained from the house, upon motion and special cause assigned; and if the house be sitting at the time to which the committee is adjourned, the business of the house is to be stopped, and a motion be made for a further adjournment, for a time to be fixed by the house, not exceeding twenty-four hours, unless as above

Where the time hereby prescribed for the meeting, sitting, or adjournment, of the committee shall, by the intervention of a Sunday or Christmas-day, exceed twenty-four hours, such meeting, &c. is to be within twenty-four hours from the time of appointing it, exclusive of those days

No member of the committee is to absent himself without leave, or sufficient cause shewn on oath. The committee is not to sit till all the members, to whom leave has not been granted, are met; and if they do not all meet within an hour after the time appointed, a further adjournment must be made as above directed, and reported, with the cause, to the house

The chairman of the committee, at the next meeting of the house, is always to report the name of every member who has absented himself without leave or excuse, and such member is to be directed to attend the house at the next sit-

ting;



ting; and then be ordered into custody of the messenger, and otherwise punished or censured, at discretion of the house, unless his absence is proved to have been unavoidable

14

Committee is not to proceed unless eleven meet;

15

And if it be reduced, by sickness or death, to less than eleven, and continue so for three sitting days, it is to be dissolved, a new one be chosen, and the proceedings of the former committee be void

16

If the committee come to any resolution not above provided for, the chairman is to report it, and the house is to decide on it. If any person summoned by the committee do not attend, or if any witness prevaricate or otherwise misbehave, the chairman, by direction of the committee, may, during the course of the proceedings, report it to the house, for their interposition. House being adjourned when committee want to apply to it, committee may adjourn to the day appointed for the meeting of the house

17

Committee may order the room where they are sitting to be cleared, when they think it necessary to deliberate among themselves; and all questions, as well as the determination and all other resolutions, are to be decided by a majority of voices; and if the voices be equal, the chairman is to have a casting voice. No determination is to be made, nor any question proposed, unless eleven members be present; and no member is to vote on the determination, or on any other question or resolution, who has not attended during every sitting of the committee

18

Oaths taken in the house are to be administered by the clerk thereof; and those taken before the select committee, by the clerk attending them. Persons guilty of wilful and corrupt perjury, in any evidence given before the house or the select committee, in consequence of the oath taken by direction of this act, are to suffer as other persons convicted of the same crime

19

This act to remain in force till 31st December, 1800

20

If an election of members be held, or poll taken, in any church or chapel, it is to be void

28 Geo. III. xi. 1

In parishes where there is a court-house, vestry-room, or other buildings, distinct from the church, appropriated to parochial business, the elections are to be held in them; but where there is no such place, churchwardens may provide a room or booth, at expence of the parish, not exceeding 25 l.

2

Candidates are not, either before or after the election is over, by themselves or agents, to give public entertainments of provisions or liquor, on days of holding elections

3

If any candidate giving such entertainment, contrary to the spirit of this act, should have a majority of votes on the poll, a new writ is to issue, and the candidate so offending be adjudged incapable of being chosen into the assembly, during the session to be next holden

4

Churchwardens in each parish are, on election days, to provide refreshment for freeholders, at expence of the parish, not exceeding 50 l.

5

On the death of any member during a recess, the custos (or, in his absence, the senior magistrate) of the parish such member represented is, under penalty of

50 l.



- 50*l.* within fourteen days afterwards, to give notice thereof to the speaker; who, within ten days after such notice (or without it, if he be otherwise satisfied of the fact), is to send an account of the death, under his hand, to the governor 30 *Geo. III. i. 1*
- Governor, whenever he receives such account, is forthwith to direct the clerk of the patents to make out a new writ, which is to be directed and executed in the same manner as writs issued during the sitting of the house 2
- Stat. of 2d *Jac. II.* respecting privilege of representatives, declared in force here 31 *Geo. III. iv.*
- Members to be commissioners of forts, fortifications, and public buildings x. 2
- Speaker appointed a commissioner for the government pen and mountain 32 *Geo. III. ii. 1*
- Members resident in the island are, together with resident members of the council, to be commissioners for instructing the agent for the island; which any five of them may do, in intervals of assembly iii. 1
- Proceedings of such commissioners are to be laid before the house, when sitting, as often as required 4
- Speaker exempted from serving in the militia x. 2
- Members are to form part of a council of war; 46
- And if it should be necessary, between a dissolution and a new election, to summon such council, the members of the late assembly are to sit and vote 47
- Representatives for the different parishes are to be commissioners of public work-houses for such parish as they are chosen for, if a workhouse be established therein xi. 3
- Speaker to be a commissioner for printing the laws of the island for fourteen years hereafter xxix. 1
- Each member is to have two copies of the laws of this island, published, as herein directed, under the authority of commissioners 3
- Members are to be commissioners for building a stone bridge over that part of the Rio-Cobre near Spanish-Town xxx. 1

#### Affes.

- If any are suffered to run at large, infected with scab, mange, or farcy, the owner is to forfeit 50*l.* 30 *Geo. III. xii. 3*
- And if any having the glanders are knowingly turned into commons, &c. the owner forfeits 200*l.* 4
- Information being given before a magistrate, such beasts may be destroyed 5
- See CATTLE--HORSE-STEALING, prevention of--HUNTING--POUNDS--SLAVES.

Affets. See GENERAL issue.

#### Assignees.

See ASSIGNMENTS of bonds, and of judgments--BAIL-BONDS--INDORSEMENT of writs --INSOLVENT debtors--SATISFACTION--SPANISH-TOWN road.

Assignments. See CONVEYANCES--FORGERY--POSSESSION.

Assignments



**Assignments of bonds, and of judgments.**

Bonds passed away are to have assignments indorsed thereon, specifying how much is due for principal, how much for interest, and certifying that no more payments have been made thereon than are set forth; which assignments are to be under the hands of the obligees, their attornies, executors, or administrators, and are to be as valid in law as if the assignees had been the obligees; but the names of the obligees, and the assignments, must be set forth in declarations, that no fraud may be practised

14 Geo. III. xxviii. 3

If bonds so assigned are transferred to other persons, without judgments having been obtained, the assignments are to be made in the same form, and future assignees are to be entitled to the like powers as the first assignees

4

If obligees assign bonds for larger sums than are due thereon, they are to be deemed guilty of misdemeanors, and suffer what fine and imprisonment the court think proper, as well as remain in gaol till fine paid, together with such sums as shall have been over-charged

5

Judgments hereafter to be obtained on bonds, promissory notes, bills of exchange, or on any other causes of action, and afterwards paid away, are to be assigned in the form herein specified; and such assignments are to be recorded in the office of the clerk of the supreme court;

6

Who is to keep a separate book for recording them, be paid 1 s. 3 d. for each entry, and allow any person to inspect the book on paying 7½ d.

7

The names of the assignees of judgments are to be marked on the margins of the records thereof; and no writs of execution or *venditioni exponas* are to issue thereon but for assignees

8

Judgments heretofore passed away are to be proceeded on according to the former custom

9

Holders of bonds passed, with a blank indorsement, before making this act, may write the assignment herein prescribed; which shall be valid, if done in presence of one witness, and attested by him

10

Payments by provost-marshal on judgments heretofore obtained are not to be delayed hereby

11

If any payments appear, on the back of a bond proved, to have been made, the jury are to set them forth in their verdict, with their dates, and the sums are to be allowed

12

Confirmation of certain judgments erroneously obtained under the above act

25 Geo. III. ix. 2

**Assistant judges.**

May sign writs for the chief justice, when he is ill, or absent from St. Jago de la Vega

4 Geo. III. viii. 1

See SUPREME court.

**Assize-courts. See COURTS of assize.****Assize of bread.**

Two justices and six vestrymen, in vestry assembled, in any parish of this island,

are,



are, from time to time, to appoint the assize and weight of bread to be sold in such parish, having respect to the price of the meal or flour whereof the bread is made, in the markets of the parish.

25 Geo. III. vi. 1

Every person who makes bread for sale, must have the initial capital letters of their name, or such other mark as justices and vestry appoint, marked on each loaf. If any persons expose bread to sale that is not marked, or that is deficient in weight, they are, on oath of one credible witness, or on the view of a justice of peace of the parish, to forfeit 20 s. for each loaf not marked, 20 s. for every ounce wanting in a loaf, and 10 s. for each loaf wanting less than an ounce; the bread being weighed within forty-eight hours after baked or exposed to sale

One justice and one vestryman, attended by a constable, are required, once in a month, to go into places where bread is baked or sold, between six in the morning and nine in the evening, to weigh the loaves. They are to seize any that are deficient in weight, and distribute them among the poor of the parish. Offenders are to forfeit 10 l. for each default.

This act is to expire the 23d December, 1794.

#### Attachments; — *in writs*

Declaration being exhibited, and special matter disclosed to chief judge of supreme court, that debtor is gone off the island, or that *non est inventus* has been returned to process against him, attachment is to issue, commanding marshal to attach debtor's properties in the hands of any possessors, and require them to shew cause, at next court, why so much as will satisfy said debts should not be delivered to plaintiff; when, if it appear that the property belongs to the absent debtor, and plaintiff, before or after proof, attests the justice of his demand in open court, as well as gives security in double the sum to restore, with treble damages, so much as shall be disproved, plaintiff is to recover out of properties so attached. But if bail is put in for the debtor, the attachment must be dissolved. If possessors part with such properties after attached, their own estates become liable

33 Car. II. xxiii. 8

May be issued by justices of peace, for debts not exceeding 40 s.

9

Those at the supreme court may be served at any time, as heretofore

10

Judges of inferior courts may issue them for sums under 20 l.

10 Ann. iv. 12

May issue though martial law be in force

31 Geo. III. ii. 1

See COLLECTING constables--COURT of chancery--PRIVILEGE of assembly--QUIT-RENTS.

#### Attorney-general.

He is to issue process against those who do not pay quit-rents

2 Ann. vii. 12

To forfeit 500 l. for each neglect

17

Establishment of his fees

10 Ann. iv. 25

Discovery may be made to him of lands of absentees forfeitable for non-payment of quit-rents

6 Geo. II. vii. 4

To have certified estreats of fines, &c. delivered to him in a limited time, by clerks of crown, court, and peace, that process may issue

1 Geo. III. xiii. 1, 2

If



- If none incurred, or if any remitted, they are to certify it to him 4
- Dockets of judgments, informations, &c. appertaining to the revenue, are to be delivered him by clerk of supreme court; 6
- As likewise lists of process, and of monies received, for the revenue, by provost-marshal 7
- He is to order process against those officers whom receiver-general reports to have failed in paying monies certified to have been received for the revenue 8
- If he neglect the duty herein prescribed, he forfeits 100 l. for each offence 10
- On his having produced to him receiver-general's receipt and certificate respecting lands of absentees informed against, he is to issue a *fiat* 9 Geo. III. ix. 3
- After return of writ of enquiry, with verdict indorsed, he is to have proclamation made as in escheats 8
- If final judgment pass, and relator obtain a patent, but does not, or if grantees or patentees do not, comply with the bond directed by 6 Geo. II. cap. 7, cl. 4, to be entered into, attorney-general is to issue a *scire facias* for seizure of the lands 14
- He is to have four days previous notice, when any secretary of the island, provost-marshal, clerk of supreme court, or register in chancery and clerk of the patents, intends to enter into recognizance for the due discharge of his office, with the names and additions of the proposed securities, that he may attend at taking the recognizance, if he think fit 15 Geo. III. vii. 3
- Provost-marshal is to deliver to him, the second Wednesday in each grand court, lists of all process lodged with him, and all fines received by him 32 Geo. III. xvii. 6
- He is to be a commissioner for printing the laws of the island for fourteen years hereafter xxix. 1

**Attornies.**

See ASSIGNMENTS of bonds, and of judgments--BREACHES of trust, &c.--COMMISSION --DIVIDING fences-- EMBLEMENTS --INVEIGLING slaves-- LEVIES-- MILITIA-- MORTGAGES--ORPHANS-- POSSESSION--PRIVILEGE of assembly--QUIT-RENTS-- SALE of slaves under venditioni exponas--SATISFACTION--SECURITIES for money --SLAVES.

**Attornies at law.**

- No person is to practise as such in any court till admitted by the judges thereof, nor before having taken the necessary oaths, under penalty of 20 l. If, by their negligence or ignorance, their clients are nonsuited, they are, by rule of court, to pay such clients full costs of suit 33 Car. II. xxiii. 4
- Establishment of their fees 10 Ann. iv. 33
- They may take moreover what clients voluntarily offer; but if they exact greater fees than hereby allowed, they forfeit 100 l. and become incapable of practising 34
- If they offer any bill of costs, at common law or in equity, or receive payment thereof before bills taxed, they forfeit for each offence 500 l. 36
- If they officiously indorse any writ of execution or *venditioni exponas*, for a greater sum than is really due their client, they forfeit 100 l. and become incapacitated 8 Geo. II. v. 11
- They must have authority in writing for indorsing such writs; and if they indorse them



them for more than is due they forfeit as above, and judges may debar them from practising

24 Geo. II. xvi. 1

Before any person is admitted to practise as an attorney, solicitor, or proctor, in any court of law or equity, he must produce an admission in some of the courts in Westminster-hall, or some of the courts of chancery, king's bench, common pleas, or exchequer, in Ireland, or else have been an articulated clerk to some sworn attorney or solicitor here for five years at least (which articles must be filed and recorded in the secretary's office), and he must, on examination by two barristers (appointed by the chancellor, or a judge of the grand court), have his abilities certified by them

4 Geo. III. viii. 2

Any person who has been admitted as a writer to the signet or solicitor in Scotland, or an articulated clerk or apprentice to such writer for three years at least, producing an authentic certificate thereof, may, after having been articulated here for one year (articles being recorded as above), and undergone examination, be admitted to practise in every court

3

No partnership is to be allowed between attornies or solicitors, unless their agreement is signed, sealed, delivered, and recorded in the secretary's office. Each name in any such firm must be indorsed on all process or other business they are concerned in

4

The laws now existing having been insufficient to prevent ignorant persons practising, no person is in future (unless already admitted) to be allowed to practise as an attorney, &c. in any of the several courts in this island, who has not been admitted as an attorney, solicitor, proctor, or writer to the signet, either in the grand court here, or in some of the courts of England, Ireland, or Scotland, and who cannot produce a certificate, under seal of the court, of such his admission

14 Geo. III. iii. 1

If any attorney, &c. take, as an articulated clerk, any person under the age of sixteen, or for a less time than five years, the articles are to be void

3

Articles between attornies and their clerks must be recorded within three months after entered into, or be void

3

No person is to be admitted as an attorney, &c. until he has been examined by the chief justice, in open court, nor before his actual service has been attested in the grand court, or before a commissioner for taking affidavits

4

If any admitted attorney, &c. suffer any person, except his own clerks, to practise in his name, he is to forfeit 100 l. and be struck off the list of attornies

5

If any person, not qualified as above, practise in any court of common pleas, or court of quarter-sessions, he forfeits 100 l. for presuming to act, and the custos, chief judge, and assistant judges, 200 l. for suffering him

6

They are not to stand security for their clients prosecuting writs of error to effect

17 Geo. III. xvi. 1, 2

#### Auditor-general.

Receiver-general still to account with him or some other person in Great-Britain

1 Geo. II. i. 20

#### Auditors,

Assize-courts authorized to appoint them

17 Geo. III. xiii. 1

August



## August grand court.

The act repealed in 33 Geo. III. since this abridgment was begun 31 Geo. III. xx.

## Azores.

A duty of 12 l. per ton to be paid on importing the wines of those islands 1 Geo. II. i. 1

## Backgammon.

**T**HIS game, and others played with backgammon-tables, excepted from those hereby prohibited 17 Geo. II. vii. 1

Bagnall's. See BARRACKS.

## Bail.

Putting in bail is to dissolve attachment, and proceedings may then be had according to the common law 33 Cha. II. xxiii. 8

See ARRESTS.

## Bail-bonds.

When, in cases of arrest on mesne process for debt, provost-marshal takes bail by bond, and such bonds become forfeited, he is to assign them, by subscribing the conveyance here set forth before one witness, to plaintiffs in the writs. Such assignees, their executors or administrators, may bring actions against the bail, in their own names, and may make usual levies, and also levies for costs of actions on bail-bonds. But if defendants in original actions appear before judgment obtained on bail-bonds, and give bail by manucaption, bail-bonds are to be void, and actions thereon (if any) be discontinued, on payment of costs thereof. No *venditioni*'s are to issue upon judgments on bail-bonds, till judgments are obtained on original actions 25 Geo. III. ix. 1  
Judgments having been obtained on assignments of bail-bonds, by a misconception of 14 Geo. III. cap. 28, such judgments are not to be reversed 2

## Bailliff.

His fees

10 Ann. iv. 8

Balance. See MUTUAL debts.

Ballast. See BAYS--HARBOURS.

## Baptism.

Ministers are not to take any greater fee for christenings than justices and vestries allow 33 Car. II. xviii. 4  
Is not to enfranchise slaves 8 Gul. III. ii. 40  
Masters, overseers, &c. are to use their utmost endeavours to qualify slaves to be baptised 32 Geo. III. xxiii. 6



Bar and esoppel. See GENERAL issue.

Barbadoes Valley. See BARRACKS.

Barquadiers.

See DROGGERS--PUBLIC wharves--SLAVES--STOLEN goods--WHITE persons.

### Barracks.

A strong barrack, with two or more bastions, to be built at the head of Great-River, by negroes allotted by the parishes of Westmorland and Hanover 6 Geo. II. x. 5

A similar one, about ten miles northward of Barbadoes Valley, by negroes allotted by St. Elizabeth's and St. James's; and another such between Cargill's plantation and Drax's crawl, by negroes raised in Clarendon, Vere, and St. Ann's 6

The land on which such barracks are to be built, and 2000 acres round each (not being within three miles of a settlement where a white man resides), vested in the crown, to be re-granted (not more than 100 acres to one person), under conditions, and on security being given 9

Persons whose lands may be resumed for the purposes of this act, are to be paid 5 s. per acre, on proof of their quit-rents having been paid 10

Forty acres of land, at or near the head of Rio-Bueno, vested in the crown for a barrack, but they must not be within two miles of a settlement 10 Geo. II. vi.

Lands having been granted in the vicinity of barracks by laws near expiring, persons who have had grants, and proceeded in making settlements on any such lands, confirmed in their titles. Conditions on which new-comers are to have future grants 11 Geo. II. vii. r

Ten acres reserved close to each barrack, to be granted in lots for building; and also one hundred, in case the soldiers should be inclined to plant provisions or raise stock 2

Governor to order surveys to be made of lands contiguous to barracks 3

Justices and vestries of the undermentioned parishes required, within three months, to begin to build sufficient barracks, and complete them in twelve months, for the reception of regular troops; viz. St. John's, Clarendon, Westmorland (where the barracks at Savanna-la-Mar are to be put in good order), Hanover, St. James's (where the barrack at Montego-Bay is to be kept in repair), St. Ann's, St. George's, and St. Andrew's 1 Geo. III. xix. 1

The barrack built at Puerto-Maria-Bay, by private subscription, to be deemed the barrack of St. Mary's, and justices, &c. to pay the subscribers the expences they have been at 2

Justices, &c. of St. Thomas in the East to make the public building at Bath convenient for one company of regulars; those of St. Thomas in the Vale, to repair the barrack at Bagnall's (in St. Mary's); those of Vere, to repair that at Carlisle-Bay; and those of St. Elizabeth, that at Nassau 3

As soon as the barracks are built, or repaired, the justices and vestries of the respective parishes are to erect a proper magazine for keeping gunpowder, and an



- an arsenal for keeping arms, at each of them, and afterwards to keep such buildings in repair 4
- Justices and vestries of the above-mentioned parishes empowered to lay taxes for the purposes of this act 5
- Several inhabitants of St. Mary's having, by private subscription, built a barrack at Oracabessa, such inhabitants are exempted from taxes for support of the barrack at Port-Maria 6
- The parish of St. George being unable solely to build the barrack at Gibraltar-Point, the public is to pay half the expence of building it 7
- Each justice and vestryman who neglects his duty, as above, is to forfeit 100*l.* 9
- Situation of the barracks being in some parishes left to the justices and vestries, they may, if the owner refuse to sell the land they fix on, have it valued (unless it be planted, or within four hundred yards of a dwelling-house or works, or exceed two acres), and build barracks thereon; which land and barracks shall remain vested in the justices and vestries, who are made bodies politic and corporate for that purpose. When no troops quartered at the barracks, justices and vestry may put them to what use they think fit 10
- Justices and vestries, in those parishes where it may be necessary, empowered to make allotments, either of negroes, or money, or both, to carry the above act into execution xxix. 1
- Justices to issue warrants, for constables to warn-in able labouring negroes; and if any persons neglect to send their proportion, with proper tools, they are to forfeit 3*s.* per day for each deficient 2
- Clauses 2 and 6 of 1 *Geo. III. cap. xix*, repealed 2 *Geo. III. vii.* 1
- A barrack to be built at Jack's Bay, in St. Mary's; and justices and vestry required to lay a tax to raise 4500*l.* for building it, and for reimbursing the subscribers alluded to in the two above-mentioned clauses 2
- In specified proportions 3
- Justices and vestry of St. Dorothy's empowered to raise money for support of those at Old-Harbour 8 *Geo. II. viii. 5*; 11 *Geo. III. xviii. 2*
- A barrack having been built near Great-River, in Westmorland, and, for the use thereof, a grant made of 100 acres of land, which, by 11 *Geo. II. cap. 7, cl. 2*, were vested in the crown, for purposes therein mentioned; but the barrack having become in a ruinous condition, the purposes not having been answered, and John Ellis (who is possessed of lands surrounding the barrack and lands) having, in the year 1761, by license of the late lieutenant-governor, taken possession thereof, and, at a considerable expence, put the barrack in good repair, and ever since kept it so, the said 100 acres of land are hereby re-vested in the crown, that 92 of them (the other eight being reserved for the use of the barrack) may be granted in perpetuity to John Ellis, his heirs and assigns, under condition that he or they keep the barrack in good repair, fit for the reception of soldiers, for ever 5 *Geo. III. vi.*
- Those at Oracabessa and Jack's Bay deemed public barracks, as much as that at Port-Maria; and justices and vestry of St. Mary's empowered to lay a tax for keeping all of them in repair 11 *Geo. III. xviii. 1*
- One



One to be built in St. Thomas in the Vale

23 Geo. III. ix. 2

Compulsory parts of clauses 1 and 4 of 1 Geo. III. cap. xix, and of 1 Geo. III. cap.

xxix, repealed

27 Geo. III. iii. 1

See KINGSTON--LUCEA--ST. JAGO *de la Vega*.

#### Barristers.

They are not to practise in any court till admitted by the judges thereof, nor before they have taken the necessary oaths, under penalty of 20*l*. If, by negligence or ignorance of any counsellor, a nonsuit is suffered, he is, without any other process than rule of court, to pay his client's full costs of suit

33 Car. II. xxiii. 4

To give certificates of fees received, when they are concerned for plaintiffs, and defendants incur costs of increase

24 Geo. II. xix. 2

Certificate of two of them necessary for the admission of an attorney, solicitor, or proctor, to practise

4 Geo. III. viii. 2

**Base coins.** See CURRENT coin.

#### Bath of St. Thomas the Apostle.

The sum of 1250*l*. to be paid to directors, for purchasing the springs, with 1130 acres of land adjoining, in St. Thomas in the East, making a road, erecting buildings, and providing necessaries for poor sick people

11 Gul. III. iii. 1

Governor, members of the privy-council, chief justice of the island, and justices of the *quorum* for St. Thomas in the East and St. David, all for the time being, appointed directors, and incorporated by the name of "The directors of the Bath of St. Thomas the Apostle." Springs, land, and buildings, vested in them, for the benefit of foreigners as well as British subjects

2

Directors may sue and be sued,

3

Lease any part of the estate,

4

Use a common seal, which they may alter,

5

Appoint requisite officers (whom they may remove if necessary), and make regulations for the government of the Bath

6

They may also erect a market within the bounds thereof, appoint a clerk of it, and grant licenses for retailing strong liquors, not taking fees

7

None of the land, nor any houses or buildings, can be aliened, or disposed of otherwise than at will, or for a term not exceeding twenty-one years

8

Monies arising by leases of any part of the land are to be employed in increasing buildings, mending the roads, and providing necessaries and conveniences for sick and poor people

9

Leases of the lands not having fulfilled their agreements, all leases of the springs, lands, negroes, mules, &c. annulled

4 Geo. II. ii. 1

Commissioners are to receive from receiver-general 500*l*. for building a comfortable dwelling-house, with kitchen, &c.

2

They may lay out the ground, and get materials out of any part of the land; may lease the house, and not more than 100 acres of land, for twenty-one years, to such person as will be resident, and give security to use his utmost

endeavours



- endeavours to provide all accommodations for sick people, at reasonable prices; and may also grant leases of 30 acres to any person who will be resident  
Land to be surveyed, and laid out in such parcels, at the public expence  
A road from Port-Morant to the springs is to be laid out by a jury, and surveyors are to order out negroes with tools, from specified plantations, to make it. Any person who neglects sending negroes and tools is to forfeit 50 l. and also 5 s. *per* day for each negro deficient  
Directors may grant 30 acres of land to soldiers who will settle and manure them; but they are to be forfeited if neglected. Settlers to be exempted from all taxes for seven years  
Directors empowered to convey estates in fee; but if town-lots be not fenced within six months after the date of the grant, or if houses (value 50 l. each) be not built in eighteen months, or, when built, if they are neglected for a year together, such lots are to be forfeited, and re-vested in the directors; and if one third part of land be not cleared and planted in two years, or, when planted, is neglected to be cultivated for two years, that is also to revert to them. No grant is to be valid unless made by a *quorum* of directors, upon the Bath land, and sealed with their corporation seal 22 Geo. II. xiii. 1  
That part of the land bounding on Plantain-Garden-River is to be divided in an uniform manner, for the town-lots. Directors are to leave a convenient space in wood-land, to prevent encroachments being made by the river  
The town-lots are not to exceed one acre; and only one lot, and no more than twenty-five acres of land, to be granted to any one person. Those who keep public houses of entertainment may be allowed four acres, for gardens, &c. In all grants, right to be reserved of cutting timber and digging stone  
Persons having been added to the number of directors, by the name of commissioners, all such commissioners are declared directors  
Fifty acres near the springs, and twelve acres on the ridge, to be reserved. Springs, public buildings, &c. are not to be granted to any person. One lot to be laid out for soldiers; and one for a burial-ground  
Council and assembly to be perpetual directors  
It having been found impracticable to make the road directed by 4 Geo. II. cap. 2, commissioners are to apply to a magistrate of St. Thomas in the East, for a warrant to lay out a road from Bath to the sea 24 Geo. II. xv. 1  
Justices and vestry of that parish are then to allot negroes, carts, and labour, on the inhabitants  
Who are afterwards to keep the road in repair. Vestry to appoint waywardens  
Such powers given to justices, &c. as they have respecting any roads in the same parish  
If any magistrate, justice, or vestryman, neglect this duty, he forfeits 100 l.  
Commissioners appointed for making a carriage-road from Kingston to Bath, who are to apply to magistrates of St. David's and St. Thomas in the East to lay out the road through those parishes; that part which passes through Kingston and Port-Royal being already opened 26 Geo. II. vii. 1  
Inhabitants of the parishes through which the road passes are to keep it in repair when



- when finished, and justices, &c. are to appoint waywardens, make allotments of negroes, &c. and levy rates for that purpose 2
- Justices and vestries, surveyors and waywardens, to have as full justification as for their lawful acts respecting other roads in the same parishes 3
- If any magistrate, justice, or vestryman, neglect his duty herein, he forfeits 100*l.* 4
- Public building to be prepared for the reception of a company of regulars 1 *Geo. III. xix. 3*
- Any three of the directors may convey estates (subject to the conditions prescribed by 22 *Geo. II. cap. xiii.*) of half an acre each, containing in front 132 feet, binding south on Island-River-Street, reserving one acre in front of the houses of the overseer and negroes belonging to the Bath 30 *Geo. III. xv. 1*
- No one person is to hold, in his own name or in the name of another, by grant, purchase, or otherwise, more than one of the lots 2
- Additional directors appointed 3
- The botanic garden put under the care of the directors 4

**Wags.**

- No ballast to be thrown overboard in any of them, under penalty of 20*l.* 33 *Car. II. xvii. 4*
- See FISH--PUBLIC wharves--SHOAL water--SLAVES--WHITE persons.*

**Werkford, Peter.** *See FREE-SCHOOL of St. Jago de la Vega.*

**Beer.**

- A duty of 40*s.* per ton to be paid on importation 1 *Geo. II. i. 1*

**Beneficed ministers.**

- They are not to take any fee for christenings, marriages, churchings, nor burials, but what is allowed by justices and vestry, under penalty of 5*l.* 33 *Car. II. xviii. 4*
- Their stipends, which were to be paid at their dwellings every six months, as settled in 1681. No person to be presented without producing testimonials of having taken deacon and priest's orders, and the testimonials being recorded in the secretary's office 9
- They must not marry persons whose banns have not been published three times in their parish-church, unless they have a license, under penalty of 100*l.* 10
- Rector is to be always one of the vestry, and no order is to be made therein, without his having had notice of the meeting 35 *Car. II. vii. 1*
- To give notice, the preceding Sunday, of the 7th of June, and provide suitable sermons 5 *Gul. & Mar. i. 2*
- Stipends as settled in 1706-7, which justices and vestry were empowered to enlarge, and churchwardens were to pay every six months 5 *Ann. i. 1*
- Those who may be presented after assessments laid are to be provided for by additional assessments 3
- They are to be paid only for the time they officiate, sickness excepted 5

To



To give notice of the 28th of August, and act as for the 7th of June 9 Geo. I. i. 2

They are to receive from the churchwardens, every six months by equal portions, the following sums:

St. Catherine's,	300 l.	Port-Royal,	200 l.	St. Mary's,	200 l.
St. Thomas in the Vale,	200 l.	St. Andrew's,	200 l.	St. Ann's,	200 l.
St. Dorothy's,	200 l.	St. John's,	200 l.	St. James's,	200 l.
Kingston,	250 l.	St. Thomas in the East,	250 l.	St. Elizabeth's,	200 l.
Vere,	200 l.	St. David's,	100 l.	Westmorland,	250 l.
Clarendon,	250 l.	St. George's,	100 l.	Hanover,	200 l.
				Portland,	100 l.

Justices and vestries are not to grant, nor levy on the inhabitants, any additional salary; but, where there is no parsonage-house, they are to hire one, of the value of 50 l. *per annum*, or buy or build one, at an expence not exceeding 500 l.

21 Geo. II. vi. 1

Bishop of London vested with ordinary jurisdiction over them 2

They are declared freeholders, and may vote at elections for members of assembly, without taking any oath 3; 21 Geo. III. xv. 11

Several, who have not officiated, having taken the income of their cures, and some justices and vestrymen having caused such ministers to be paid, notwithstanding 5 Ann, cap. 1. cl. 5, it is hereby declared, that if any minister (except where there is no parsonage-house, nor money allowed in lieu thereof) who does not officiate and reside in his parish (sickness, proof upon oath, by himself, or his physician or surgeon, being given thereof, and lodged with one of the churchwardens, or absence on his private affairs, which must not exceed two months in a year, nor one month at a time, excepted), shall ask or receive any stipend or sum of money from a churchwarden or other person, as minister, he shall, for such offence, forfeit 50 l.; unless he be, at the same time, chaplain to either branch of the legislature 11 Geo. III. xvi. 1

They are not prohibited from employing any person, duly qualified, to reside and officiate as curates in their stead; in which cases, they are to receive the stipends, if their curates have duly resided. But no incumbent of one parish is to officiate as curate in another; 2

Nor is any beneficed minister to leave the island, without license from the governor 4

Incumbent of Trelawny to have 200 l. *per ann*.

14 Geo. III. xxxi. 5

If any incumbent suffer a corpse to be interred in his church or chancel, he is to forfeit 500 l.

30 Geo. III. xiii. 1

An annual compensation, herein prescribed, is to be made to the rectors of those parishes where there are churches, in lieu of their fees for opening ground in them; 3

And 30 l. *per ann*. are to be paid to each other rector as soon as a church is built in his parish 4

See GLEBE lands.

Bequests. See DEVICES of slaves--ISSUE of negroes.

D

Wets



Bets on games. See GAMING.

Billiard-tables. See GAMING.

Bills, dormant. See LIMITATION.

#### Bills of exchange.

On those protested, and returned here, a re-exchange of eight *per cent.* may be recovered, besides common exchange 12 Geo. II. iii. 2.

When jury have assessed damages on a bill drawn here, and returned protested, the court is to give judgment, that defendant shall pay interest on the principal sum, from the first day of the court in which judgment given until actual payment; and plaintiff, his assignee, &c. may indorse the writ of execution or *venditioni*, with the sum assessed by jury for principal, interest, re-exchange, costs, and interest on amount of bill from first day of court until payment made; for all which provost-marshal is to levy 28 Geo. II. ii. 1.

Such bills drawn while 23 Geo. II. cap. xi. was in force, and now unpaid, if judgment obtained, to bear interest; 2.

As well as those on which judgments have been given since said act expired 3.

Re-exchange and damages are to be recovered on bills returned protested for non-payment; but no actions are to be allowed to lie for re-exchange and damages till the bills shall have been protested. 15 Geo. III. xxi.

See ASSIGNMENTS of bonds, and of judgments--FORGERY--SECURITIES for money.

#### Bills of lading.

To be taken for goods sent in droppers to and from the out-ports, 31 Geo. III. iii. 7.  
And to or from Kingston and Passage-Fort and Port-Henderson 14.

Bills of sale. See CONVEYANCES.

#### Biscuit.

Not to be sold by invoice, nor otherwise than by weight, under penalty of 40 s. for each cask so sold. 11 Geo. III. xii.

#### Bishop of London.

To exercise ordinary jurisdiction here, so far as appertains to the ecclesiastical regimen of the clergy only, but not extending to any juridical authority or coercion, either spiritual or temporal, over lay inhabitants, nor interfering with the powers of the governors as ordinaries 21 Geo. II. vi. 2.

#### Black-River.

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1.  
Justices and vestry of St. Elizabeth's authorized to establish and maintain a ferry over this river, at Gravesend. They may enter into contracts, and lay a parochial



rochial tax for making and keeping up the ferry; which is to be free to all persons and their goods

16 Geo. III. xviii. 1

Persons wilfully damaging the ferry, taking away the ferry-boat, or any of the ropes, cranes, &c. are to suffer as felons

2

See GRAVESEND--ST. ELIZABETH'S--STANDARD weights.

### Blasphemy.

Persons guilty of it are to forfeit 20*l.* and servants, or those unable to pay, to have corporal punishment

33 Car. II. v. 2

### Boards, plank, scantling, and ranging timber.

Boards and timber imported from America, not containing the marked measurement, are to be burnt by the common cryer

9 Geo. I. vi. 1

Penalty of 40*s.* for every hour's delay in delivering up unsizeable boards

2

There being abuses in the importation of boards and scantling from America, all masters of vessels, merchants, supercargoes, or others, importing any deal or other boards, plank, scantling, or ranging timber, must in future, under penalty of 50*l.* for each neglect, apply to a sworn measurer to attend at the landing of it

13 Geo. III. xii. 1

See MEASUREMENT of boards, plank, &c.

### Boats.

Boats which carry goods for hire in any harbour, river, &c. must be navigated with two white men, the rest of the crew being white men or free people; only one slave is to be employed in each

11 Ann. iii. 2

To be registered and numbered, in the same manner as wherries

15 Geo. III. xxiv. 2

See DROGGERS--DUTIES--FOREIGN produce--PORT-ROYAL--STOLEN goods--VESSELS--WHERRIES.

Boatwains of merchant vessels. See DUTIES.

### Bodies politic and corporate.

Justices and vestrymen of certain parishes are to be so, for the purposes of the barracks

1 Geo. III. xix. 10

Churchwardens of each parish, for the time being, declared to be so, for recovery of taxes

15 Geo. III. viii. 3

### Bogue, in Uere.

No fish-pots to be set, or wears made,

10 Ann. xvi. 1

Under penalty of 40*s.* and slaves to have thirty-nine lashes

4

### Bog-Walk.

The sum of 1000*l.* per ann. to be paid by the treasurer of the Spanish-Town road, to be laid out on the road leading from St. Jago de la Vega to the tavern at this place

32 Geo. III. vii. 1



**Bonds.**

See ASSIGNMENTS of bonds, and of judgments--DUTIES--ESCHEATS--FORGERY--  
INTEREST--IMITATION--MUTUAL debts--PERSONS leaving the island--PUBLIC  
officers--QUIT-RENTS--SECURITIES for money--SURVEYORS.

**Bond to the king.** See WRITS of error.

**Books of entries.** See COURTS of assize.

**Botanic garden.**

The land heretofore purchased for establishing the garden being found unfit for  
the purpose, trustees are hereby appointed for selling it, 19 Geo. III. xvii. 1  
And, with the proceeds, to purchase other lands, situate near Bath, for the same  
use; which lands, when purchased, are to be vested in the trustees, the survivor  
of them, and the heirs of the survivor, for ever, for the purpose of a public  
botanic garden 2

This garden put under care of the directors of the Bath, who may appoint a gar-  
dener, hire slaves, &c. the expence whereof not to exceed 200*l.* per ann.

30 Geo. III. xv. 4.

**Bottled liquor.** See DUTIES--LIQUORS.

**Boundaries.**

To be settled by real run and marked lines 2 Ann. vii. 4

Where boundaries disputed, judges are to determine the lines proved to be the  
original lines, or those which have been reputed to be the marked lines for ten  
years, to be the true boundaries of the land in dispute; or, where original  
lines cannot be proved, they shall determine by such lines as best answer the  
original plat or patent; but such plat must have been made by a sworn sur-  
veyor, and the plat and field-work be annexed and attested. Record of such  
plat, hereafter made and recorded, to be conclusive 4 Geo. II. iv. 2

Boundaries acquiesced in for seven years, by proprietors binding on each other,  
are to be deemed the true boundaries 14 Geo. III. v. 2

**Bowls.**

Excepted from the games hereby prohibited

17 Geo. II. vii. 1

**Brand.**

To be retailed at 2*s.* 6*d.* the quart, under penalty of 40*s.* for demanding more

33 Car. II. vii.

A duty of 1*s.* 6*d.* per gallon to be paid on importation

1 Geo. II. i. 1

**Breaches of trust, prevention of.**

Attornies or agents for absentees; trustees, guardians, executors, or administra-  
tors, acting for minors or others; mortgagees (their heirs, executors, admi-  
nistrators,



nistrators, or assigns) in possession; and sequestrators appointed in chancery; who receive or dispose of the profits of any plantations, pens, land, and pens of cattle, sugar-works, or other settlements, messuages, or tenements, or of any slaves, must, before the 25th of March, in every year, render into the secretary's office, to be recorded there, a just account in writing, upon their oath (or the oath of the principal servant managing for them), of all the rents, profits, &c. of such properties; and in the account specify the quantity of sugar, rum, melasses, ginger, cotton, coffee, indigo, and cocoa, produced the preceding year

13 Geo. II. ix. 1

If any attornies, &c. neglect to comply herewith, they are to forfeit 100 l. and lose their commission for each year they neglect

2

Oath to be administered only by a judge of the grand court, or the chief judge of the courts of common pleas, who are to make a memorandum (in the form here inserted) of the oath, upon or under the account, and subscribe it, which the deponent must do also. If any persons swear falsely, they are to suffer as for wilful perjury

3

Accounts and memorandums are to be recorded in the secretary's office

4

This act to be read quarterly in vestries and at each quarter-sessions

5

The above act revived and made perpetual

24 Geo. II. xix. 7

**Bread.** See ASSIZE of bread.

**Brevet.** See MILITIA.

**Brick-work.** See HORSES--PLANTATION utensils--SLAVES.

**Bridges.**

To be erected in parishes where they are wanted on the roads to church

14 Geo. III. xiii. 1

See RIO-BUENO--SPANISH-TOWN road.

**British creditors.**

Merchants, factors, &c. residing in Great-Britain, who have advanced monies there for persons residing here at the time they were advanced, declared to be entitled to 5 per cent. per annum

24 Geo. II. xix. 12

When they obtain judgments against inhabitants of this island, they are to have 5 per cent. interest on their principal from the first day of the court in which judgment is obtained

29 Geo. III. xiii. 1

Protected from being in future injured by executors or administrators pleading the rule of executors unfairly

3

See COSTS of increase.

**Broad seal.**

If any person counterfeit the broad seal of this island, he is to be deemed guilty of high treason

33 Car. II. xvi.

Fees



Fees to be paid on its being affixed to patents, process, &c.

10 Ann. iv. 20

**Buildings.** See FORCIBLE entry and detainer.

**Bullion.** See ASSAY.

**Bulls and bullocks.** See CATTLE--NEAT cattle.

**Burial-grounds.**

To be provided in parishes where they are wanting

14 Geo. III. xiii. 1

**Burning maliciously.** See FIRE.

**Burping the dead.**

Prohibition of interring corpses in any churches or chancels

30 Geo. III. xiii.

**Butchers.**

They are not to retail meat in any other place than the open market, under penalty of 40s.

10 Ann. iv. 30

See MEAT.

**Butter.**

Not to be sold by invoice, nor otherwise than by weight, under penalty of 40s. for each firkin so sold

11 Geo. III. xii.

**Butt of wine.**

In payment of duties, previous to gauging, each is to be estimated to contain 140 gallons

28 Geo. III. xv. 2

**Bystanders.**

Justices of assize may, if one juryman on the writ of *venire* appear, command the provost-marshal, by warrant under their seal, to summon as many good and lawful men of the bystanders as will make up a full jury; who, with the person or persons named in the writ, may hear and determine all matters, and assess damages

31 Geo. II. iv. 27

**Calf.**



**Calf.** See CATTLE.

**Campbell, Colin.** See RIO-BUENO.

**Candles.**

**A**RE not to be sold by invoice, nor otherwise than by weight, under penalty of 40 s. for each box so sold 11 Geo. III. xii.

**Cane-pieces.** See FIRE.

**Canoes.**

Are to be registered and numbered, in the same manner as wherries 15 Geo. III. xxiv. 2  
See DROGGERS--DUTIES--FOREIGN produce--PORT-ROYAL--STOLEN goods--VESSELS--WHERRIES.

**Cards.** See GAMING--LOTTERIES.

**Carenage.** See PORT-ROYAL.

**Cargill's plantation.** See BARRACKS.

**Carlisle-Bay.** See BARRACKS.

**Carpenter's Mountains.**

Parts of these mountains annexed to the parish of Vere 12 Geo. II. vi. 1  
Adjustment for taxes collected and debts owing 2

**Carriages.** See LEVIES.

**Carrying off or employing white persons clandestinely.**

See SOLDIERS--INDENTED servants.

**Carrying off slaves.**

Persons carrying off, or attempting to carry off, any other person's negroes, and taken in the attempt, are to be deemed guilty of felony without benefit of clergy 9 Geo. II. ix. 6

Slaves having been carried off under pretence that they were supposed to be free, no commander of any vessel is, under penalty of 500 l. to carry from this island any free negro, mulatto, or Indian, without having a certificate of their freedom from the custos or chief magistrate of the parish whence his vessel departs 25 Geo. III. xvii. 1

If a slave be carried off in any vessel, though unknown to the commander at the time of his departure, such commander is nevertheless liable to pay 500 l. to the owner or proprietor, unless, on his arrival at the port to which he is bound,



bound, he secure and send back, or bring back, and deliver to the owner or his agent, any slave so carried off

If any commander of a vessel knowingly carry away a slave, without the consent of such slave's owner, proprietor, or manager, he is to be adjudged guilty of felony, and suffer death

Penalties are to go to the informer

See INVEIGLING slaves.

### Carts for Hire.

One white man is to be kept for the first, and one for every two besides, to go forwards and backwards with them. Rates to be paid for goods carried in them between Spanish-Town and Passage-Fort. Their owners are to make oath, at each session, of the number they keep, and of the names of the white men. Those who do not keep such white men, or not make oath, are to forfeit 10*l*.

1*1* Ann. iii. 9

### Cattle.

If damage be done to fenced land by cattle, a jury of three freeholders is to be chosen, who are to judge of the fences, and appraise damage on oath. Double the damage is to be paid by owners of the cattle

33 Car. II. x. 1

Persons who kill any cattle, horses, mares, mules, or asnegos, are to forfeit 15*l*. for each

Where above 200 cattle kept, owner must keep two white men, under penalty of 10*l*. for each wanting for three months together

If not penned once in three nights, double damage is to be paid for mischief they do

Where any sort of cattle found trespassing, they are to belong to the proprietor of the ground where they trespass; but he must cause them to be cried on three court-days of the precinct, with a full description of them, and turn them loose again, to remain in the same ground for a year from the first, with a withe about the neck; when, not being in the mean time claimed, and satisfaction being given for taking them up, they are to belong to him; unless marks have been formerly put on them

If tolled by clerks of court when sold, and vouched by two persons, title to be good, unless they have been formerly levied on

If any be sold by a common horse-catcher, without evidence of their being his property, he forfeits 50*l*. and the buyer 20*l*.

If a horse-catcher put any false marks on cattle, or deface old marks, he is to be deemed guilty of felony

When exposed to sale on writs of *venditioni*, working cattle are to be sold by the yoke or couple, and all other neat cattle, horses, mules, &c. singly

Persons who put false burnt, ear, or other marks on, or deface old marks of, any cattle, are to be deemed guilty of felony

22 Geo. II. xxii. 4

Persons who steal a bull, cow, ox, steer, bullock, or calf, with intent to steal the whole carcass, or any part of it, are to suffer death without benefit of clergy; and those who take off, pare, or rasp, the horns, in order to disguise

the



the age, or deface the marks, with intent to steal, are, although they do not actually carry away the cattle, to be imprisoned six months for the first offence, twelve for the second, and suffer death for the third 31 Geo. III. xix. 1

See Asses--Horses--Hunting--Issue of negroes--Levies--Mules--Neat cattle--Pounds--Slaves--Writs of replevin.

Cedar. See SEA-COASTS.

Certiorari. See WRITS of certiorari.

Cestui qui trusts. See ASSEMBLY, house of--Issue of negroes.

Chalpheate water. See JAMAICA spa.

### Chancellor.

May grant a *justicias* to any court of common pleas 33 Car. II. xxiii. 2  
Is to cause all grants and patents in the office to be sealed the next Tuesday before each grand court 2 Ann. vii. 1  
He may appoint barristers to enquire into and certify the abilities of solicitors, attornies at law, and proctors 4 Geo. III. viii. 1  
See COURT of chancery.

Chances. See LOTTERIES.

### Channel.

Between Kingston and Port-Royal to be buoyed or staked out, as often as necessary, by the former parish 8 Ann. viii. 6  
It is to be done by the pilots of both those places, who are to keep the buoys, &c. in repair, under penalty of 50 l. 9 Geo. II. xi. 7  
They are to do it within three months 10 Geo. II. iv. 2

Chaplains. See ASSEMBLY, house of--GOVERNOR--PRIVY-COUNCIL.

### Charitable uses.

Real properties devised to them cannot be diverted from them, by claim of possession for seven years 4 Geo. II. iv. 1

Chattels. See RECEIVERS of stolen goods.

### Chief justice.

To be a director of the Bath of St. Thomas the Apostle 11 Gul. III. iii. 2  
To be a governor of Wolmer's free-school 9 Geo. II. vi. 1  
To allow his name to be used for recovery of monies lent by aliens to settlers here 13 Geo. III. xvi. 2  
To be a trustee for the Spanish-Town bridge and road 15 Geo. III. xxii. 2, 15



- To be a trustee of Titchfield free-school. 26 Geo. III. vii. 1  
 Appointed a commissioner for the government pen and mountain. 32 Geo. III. ii. 1  
 Exempted from serving in the militia. x. 1  
 Persons who have executed this office exempted from serving on juries. xvii. 10  
 To be a commissioner for printing the laws of this island, 30 Geo. III. xx. 1  
 For fourteen years hereafter. 32 Geo. III. xxix. 1

**Children.** See POOR.

**Children of slaves.**

- Those who are born in possession of tenants for life or years, are to revert as their parents do, or might do. 8 Gul. III. ii. 40

**Chocolate.** See PRODUCE.

**Churches.**

- Land to be purchased for erecting them on, in parishes where there are none. 14 Geo. III. xiii. 1  
 No corpse to be interred in any church or chancel; 30 Geo. III. xiii. 1  
 But monuments may still be erected. 77  
 See CHURCHES and chapels--MINISTERS, poor, and churches.

**Churches and chapels.**

- If elections of members in assembly are held in any of them, such elections are to be void. 28 Geo. III. xi. 1

**Churchwardens.**

- They are to receive and account for parochial monies. 33 Car. II. xviii. 2  
 With assent of two justices, they are to bind poor children apprentices. 35 Car. II. xi. 3  
 Are to pay ministers stipends half-yearly. 5 Ann. i. 1; 21 Geo. II. vi. 1  
 Fees on coroners inquests are to be paid by them, when no estate of the defunct is found. 10 Ann. iv. 15  
 To pay coroners fees for inquests held on poor white or free persons found at large, and on slaves. 11 Geo. III. xv.  
 If they pay stipend to a minister who does not reside and officiate (unless on specified occasions), they forfeit 5 l. each. xvi. 2  
 Some churchwardens not having paid over the taxes, and there being at present no sufficient powers for recovery of such monies, the churchwardens of the several parishes for the time being are hereafter to be bodies politic and corporate, by the name of "The churchwardens" of the parish where the inconvenience arises; by which name they may, in all matters relative to parochial taxes, sue and be sued, &c. 15 Geo. III. viii. 3  
 They may require collecting constables to render accounts on oath, and pay over monies, every month. ix. 1  
 If default made, they are to complain to grand court. 2  
 Are



- Are to have security given them that each slave manumitted in their parish shall be allowed 5 *l.* yearly for life xviii.
- To send transient poor to churchwardens of next parish, on the way to the public hospital 17 *Geo. III. xxxi. 3*
- May, where necessary, hire a room, or erect a booth, not costing more than 25 *l.* for election of members in assembly; 28 *Geo. III. xi. 2*
- And they are, in all parishes, on such election days, to provide refreshment for the freeholders, at the expence of the parish, not exceeding 50 *l.* 3
- Are to pay rewards to parties, 31 *Geo. III. i. 2*
- As well as their daily pay 10
- Are to proceed in the discharge of their several duties, as well when martial law is in force as at any other time ii. 5
- Are to pay marshals and clerks of peace 5 *l.* each for attending, &c. maroon trials, and executions 32 *Geo. III. iv. 9*
- Are to reward slaves for killing or taking rebels xxiii. 9
- Are to pay marshals and clerks of peace certain fees for attending trials and executions of slaves; 54
- And are to receive from marshals, and pay to receiver-general, monies transported slaves sell for 57
- See CHURCHWARDENS and vestrymen--COLLECTING constables.

### Churchwardens and vestrymen.

- Two churchwardens and ten vestrymen, who must be persons qualified to vote for members in assembly (except that in Port-Royal, Kingston, St. David's, and St. George's, vestrymen need not be freeholders), are to be chosen annually, on days herein specified, by freeholders similarly qualified 22 *Geo. II. xvi. 2*
- If any churchwarden or vestryman die, or leave the island, the justices of the parish are, within thirty days after, to issue warrants for calling freeholders, to elect others in their room 15 *Geo. III. viii. 1*

### Civil process.

- Not to be at any time discontinued by martial law occurring 17 *Geo. III. i. 2*; 32 *Geo. III. xii. 2*

### Claimants.

- Where questions arise respecting the importation or exportation of goods, proof is to lie upon owners or claimers, and claimers be reputed owners 1 *Geo. II. i. 17*
- Those who claim produce, which has been seized as being foreign, are to be accounted the owners or importers 29 *Geo. II. iv. 3*

See EMBLEMENTS--LEVIES.

### Clandestine trade. See FOREIGN produce.

### Clarendon.

- This name, given to the parish in 1677, confirmed
- Part of Carpenter's Mountains disjoined from this parish

33 *Car. II. xviii. 12*  
12 *Geo. II. vi. 1*  
Churchwardens



Churchwardens and vestrymen are to be elected on the first Tuesday in January

22 Geo. II. xvi. 2

Justices and vestry are to allot negroes to open a road from George Maddox's plantation to Luidas, in St. John's, under penalty of 20*l.* on each justice and vestryman

23 Geo. II. xvi. 8

A piece of land, containing three acres, situate in the Old Woman Savanna, having been purchased for five hundred years, and buildings erected for keeping an academy or public school; but the situation being found improper for the purpose, and the buildings in bad order, the land and premises are hereby vested in trustees;

8 Geo. III. xii. 1

Who are empowered to sell them for the remainder of the term,

2

And to execute deeds

3

Proceeds of the sale are to be laid out in purchasing other land, and erecting other buildings for a school-house; but, till such purchase is made, they are to remain with receiver-general

4

Horse-races may be run at St. Jago Savanna

30 Geo. III. xii. 7

30*l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay,

xiii. 3

Under penalty of 50*l.* on each defaulter

4

See BARRACKS--BENEFICED ministers--ST. DOROTHY and Clarendon.

#### Clearances.

Vessels trading to and from the northern colonies being often cleared out as having on board produce of this island, when they have only empty casks, and money for purchasing foreign produce, and which vessels, by means of cockets obtained here, are easily entered there, the comptroller, collector, receiver-general, nor any officer of the customs or revenue, nor their deputies, are hereafter, under penalty of 500*l.* to clear out any vessel, till the master has produced to them certificates from the venders of produce, setting forth the quantity of every particular sort, and when they were sold (attested by a magistrate of the parish where they were purchased), and taken an oath that he has on board his vessel the merchandizes inserted in his manifest; and that he will not export any goods, &c. for which he does not produce a certificate. If he, in his manifest, report a greater or lesser quantity of produce than he has on board, he is to forfeit 500*l.* and suffer six months imprisonment

29 Geo. II. iv. 4

Clergy. See BENEFICED ministers.

Clerk of enrolments. See SECRETARY.

#### Clerk of supreme court.

He is not to deliver out any writ, except warrants of arrest and *subpœna's*, till declaration be filed

10 Ann iv. 7

He is not to take greater fees than are allowed in the inferior courts, when verdict is not above 20*l.* unless where titles to land are tried

9

Table



- Table of the fees, allowed by *cl.* 4 of this act, is to be always open in his office, under penalty of 100*l.* and if he take greater fees than allowed him therein, he forfeits the same sum, and becomes incapacitated 34
- No Jew, mulatto, Indian, or negro, is to officiate or be employed in his office, under penalty of 100*l.* 35
- Copies of inventories of record-books and alphabets in the office of the secretary are to be lodged in his office on every change of the secretary 11 *Geo.* II. iv. 4
- He is to issue writs of *venire facias* to summon jurors for assize-courts 31 *Geo.* II. iv. 20
- He, or his deputy, is to attend those courts, with originals of matters for trial, record verdicts and proceedings in his office, and have the same fees as in grand court, with a salary of 100*l.* *per ann.* 23
- Writs returnable to courts of assize are to issue from his office, or from that of the clerk of the crown 24
- To enter, subscribe, and attest, dockets of judgments, &c. in assize-courts viii. 1
- His fee for entering such dockets 4
- He must, twenty days before each supreme court, deliver to the attorney-general and receiver-general, a schedule containing perfect dockets of all judgments obtained as of the preceding supreme court, or any informations or *qui tam* action, wherein the whole, or any part, are applicable to the revenue; and distinguish therein what proportion belongs to the revenue, on forfeiture of 100*l.* for each default 1 *Geo.* III. xiii. 6
- On receiving attorney-general's *fiat* respecting lands of absentees informed against, he is to make out and countersign writs of enquiry, being paid 6*s.* 3*d.* 9 *Geo.* III. ix. 3
- And to make addition, relative thereto, to writs of *venire facias*, for which he is to be paid 1*s.* 3*d.* 5
- Returns of such writs of enquiry, with verdicts thereon, are to be made to him, which he is to file, and publicly exhibit an abstract thereof, as herein specified 7
- To grant dockets of final judgments in such cases 9
- Assignments of judgments are to be recorded in his office; 14 *Geo.* III. xxviii. 6
- For which purpose he is to keep a separate book, and be paid 1*s.* 3*d.* for each entry, and 7½*d.* for each search 7
- He is to mark, on the margin of the record of each assigned judgment, the name of the assignee, and date of the assignment; and is not to suffer any writ of execution or *venditioni exponas* to issue out of his office on any such judgment but to the assignee, or his attorney at law 8
- In order that satisfactions may be more duly entered than they have been, he is to tax, as part of the common costs, the fee for his entering satisfaction on judgments; which, on due authority given him, he is to enter, under penalty of 100*l.* for each neglect 14
- Being informed by provost-marshal what writs are to him returned satisfied, he must record them in a separate book, and enter satisfaction; 15
- And he must, under penalty of 500*l.* certify to provost-marshal every satisfaction entered in his office, to be inserted in provost-marshal's books 16



He is to keep fore and back alphabets of all judgments obtained in supreme or assize-courts, under penalty of 500 *l.*

17

No person is in future to execute this office till he, and two securities, have entered into recognizance before the chief justice, in the sums mentioned in *cl.* 4, for the faithful discharge of his duty (which recognizance must be signed by him and his securities in presence of the chief justice, and recorded in the office of the clerk of the crown), under penalty of 1000 *l.* and being rendered incapable of holding the office

15 Geo. III. vii. 2

Those hereafter entering on the office are to give four days previous notice to the clerk of the crown and attorney-general, of their intention to enter into recognizance, together with the names and additions of their intended securities

3

He is to be bound in 5000 *l.* and his securities in 2500 *l.* each

4

He is to tax 2 *s.* 6 *d.* as part of plaintiff's costs, on every original execution issuing out of his office to be lodged in that of the provost-marshal

21 Geo. III. xxiii. 3

See RECORDS--SUPREME court.

**Clerk of the chancery.** See REGISTER in chancery and clerk of the patents.

### **Clerk of the crown.**

Establishment of his fees

10 Ann. iv. 18

Table of the fees to be always open in his office, under penalty of 100 *l.* and if he take greater fees, he forfeits the same sum, and becomes incapacitated

34

No Jew, mulatto, Indian, or negro, is to officiate or be employed in his office, under penalty of 100 *l.*

35

He is to issue writs of *venire facias* to summon jurors for assize-courts

31 Geo. II. iv. 20

He, or some person for whom he shall be answerable, is to attend the whole time of holding assize-courts, in order to draw, enter up, and enrol, all indictments, presentments, pleas, judgments, &c. which he is to have recorded and kept in his office, and for which he is to receive 100 *l.* *per ann.* payable quarterly

22

Writs returnable to courts of assize are to issue from his office, or from that of the clerk of the supreme court

24

To enter, subscribe, and attest, dockets of judgments, &c. in assize-courts

viii. 1

His fee for entering such dockets

4

To certify estreats of fines, amerciaments, and recognizances, adjudged in the grand and assize courts, to attorney-general and receiver-general, within twenty days after the supreme court following each court of assize; or, on default, to forfeit 100 *l.* for each neglect

1 Geo. III. xiii. 4

He or his deputy is to attest the schedules, in manner herein specified, before a judge of the supreme court (without paying any fee), who is to certify the taking the oath, on each estreat

3

If no fine, &c. incurred in either of the courts, or if those incurred are remitted, he is to certify it in the same manner, under penalty of 50 *l.* for each offence

4

He, nor his deputy, must not take off, discharge, respite, or conceal, any indictment, fine, issue, amerciament, forfeited recognizance, or other forfeiture, exhibited, set, &c. unless by order of court: And if he miscertify, or falsely

estreat,



estreat, in the schedules above-mentioned, any fine, forfeiture, &c. whereby the process issued for levying thereof may become invalid, he is, for every offence, to forfeit 50*l.* lose his office, and be for ever incapable of exercising it 5

If any money due to the revenue is received by him, or any person by his appointment, and certified and estreated as paid, or returned levied, and shall not be paid by him to the receiver-general, according to the directions in *cl.* 7, he is to be liable to such processes for the immediate recovering such sums, as any other crown debtor; and the attorney-general is to proceed against him, on certificate given him by receiver-general 8

Recognizances entered into by any secretary of the island, provost-marshal, clerk of the court, or register in chancery and clerk of the patents, for due discharge of those offices, are to be recorded in his office; 15 *Geo.* III. vii. 2

And he is to have four days previous notice, in writing, of their intending to enter into them, and of the names and additions of their intended securities 3

**Clerk of the patents.** See REGISTER in chancery and clerk of the patents.

**Clerk of the warrants.**

His fee

10 *Ann.* iv. 32

**Clerks in court.**

If they indorse any writ of execution or *venditioni exponas* for a greater sum than is really due their client, they forfeit 100*l.* and become incapacitated 8 *Geo.* II. v. 11

**Clerks of courts of common pleas.**

To certify estreats of fines, amerciaments, and recognizances, adjudged in each court, to attorney-general and receiver-general, within twenty days after holding thereof, under penalty of 50*l.* for each neglect 1 *Geo.* III. xiii. 2

They are to attest the schedules, in manner herein specified, before a judge of the court (without paying any fee), who is to certify the taking the oath, on each estreat 3

If in any court no fine, &c. is incurred, or if those incurred are remitted, they are to certify it in the same manner, under penalty of 50*l.* for each offence 4

They must not take off, discharge, respite, or conceal, any indictment, fine, issue, amerciament, forfeited recognizance, or other forfeiture, exhibited, set, &c. unless by order of court: And if they miscertify, or falsely estreat, in the schedules above mentioned, any fine, forfeiture, &c. whereby the process issued for levying thereof may become invalid, they are, for every offence, to forfeit 50*l.* lose their office, and be for ever incapable of exercising it 6

If any money due to the revenue is received by them, or any person by their appointment, and certified and estreated as paid, or returned levied, and shall not be paid by them to the receiver-general, according to the directions in *cl.* 7, they are to be liable to such processes for the immediate recovering such sums, as any other crown debtors; and the attorney-general is to proceed against them, on certificate given him by receiver-general 8

See COURTS.

Clerk



## Clerks of the markets.

- To determine disputes respecting meat offered for sale as lamb, 5 *Gul. & Mar.* vi. 3  
 And have a bell rung for opening markets 5  
 If they offend against this act, they forfeit 40 s. for each offence 7  
 Establishment of their fees; those for examining weights and measures to be taken only once a-year, and only in markets and retailers habitations, except weights belonging to wharfingers and storehouse-keepers, which are to be examined in February and June. They are not to demand fees for killing meat, unless sold in the market; not to officiate till they have qualified; nor demand any fees, unless they constantly attend, by themselves or deputies, during market hours, under penalty of 40 s. for each offence 10 *Ann.* iv. 30

See STANDARD weights.

## Clerks of the peace.

- They are to toll slaves, under penalty of 10 l. for refusal 8 *Gul.* III. ii. 44  
 Establishment of their fees 10 *Ann.* iv. 19  
 To certify estreats of fines, amerciaments, and recognizances, adjudged in each sessions, to attorney-general and receiver-general, within twenty days after holding thereof, under penalty of 50 l. for each neglect 1 *Geo.* III. xiii. 2  
 They or their deputies are to attest the schedules, in manner herein specified, before the custos or a justice of the parish (without paying any fee), who is to certify the taking the oath, on each estreat 3  
 If in any court no fine, &c. is incurred, or if those incurred are remitted, they are to certify it in the same manner, under penalty of 50 l. for each offence 4  
 They, nor their deputies, must not take off, discharge, respite, or conceal, any indictment, fine, issue, amerciament, forfeited recognizance, or other forfeiture, exhibited, set, &c. unless by order of court: And if they miscertify, or falsely estreat, in the schedules above mentioned, any fine, forfeiture, &c. whereby the process issued for levying thereof may become invalid, they are, for every offence, to forfeit 50 l. lose their office, and become incapable of exercising it 5  
 If any money due to the revenue is received by them, or any person by their appointment, and certified and estreated as paid, or returned levied, and shall not be paid by them to the receiver-general, according to the directions in *cl.* 7, they are to be liable to such processes for the immediate recovering such sums, as any other crown debtors; and the attorney-general is to proceed against them, on certificate given him by receiver-general 8  
 Their fee on sworn measurers obtaining certificates 13 *Geo.* III. xii. 2  
 They are, in cases of inveigling, to attend trials, draw up charges, 29 *Geo.* III. iii. 15  
 And record all affidavits, warrants, &c. in their offices; 16  
 For which they are to have 20 s. per day for attendance, and 5 l. for recording proceedings. They are to forfeit 100 l. for neglect or refusal 22  
 They are to draw jurors by ballot, on the above-mentioned trials 26  
 They are to attend trials of maroons, record proceedings, and give a copy in five days to superintendant, under penalty of 20 l. They are to be paid 5 l. each trial 32 *Geo.* III. iv. 9  
 Are



- Are to attest maroons declaration when leaving their towns, being paid 5 s. 25  
 They are to attend certain trials of slaves, and record proceedings in thirty days  
 after (under penalty of 20 l.) being paid 2 l. 15 s. xxiii. 54  
 Each is to have one copy of the laws of this island, published, as herein directed,  
 under the authority of commissioners xxix. 3

**Clerks of vestries.**

- They are, in parishes where there are no clerks of the peace, to toll slaves, under  
 penalty of 10 l. for refusal 8 *Gul.* III. ii. 44  
 They are, in each parish, to keep a register-book for entering freeholds, enter  
 each in three days after sent to them, and give a certificate to the freeholder that  
 it is entered; for which entry and certificate they are to be paid 2 s. 6 d. and if  
 they then neglect any entry, they forfeit 50 l. They are to produce the book  
 at elections of representatives, being paid 2 l. 7 s. 6 d. and at all times suffer  
 freeholders of the parish to inspect it, on paying 1 s. 3 d. If they neglect to  
 keep the book, or to produce it at opening polls, or take a greater fee for in-  
 spection, they forfeit 500 l. 21 *Geo.* III. xv. 14  
 They are to be paid, by receiver-general, 25 l. *per ann.* for additional trouble  
 in making out quit-rent rolls 24 *Geo.* III. xi. 23  
 They are to forfeit 100 l. for each refusal or neglect, contrary to the meaning of  
 this act 24; 29 *Geo.* III. xii. 16; 30 *Geo.* III. xiv. 4  
 They are, in each parish, within thirty days after giving-in, to make out a roll  
 of the lands given-in, and of the money payable thereon, annexing thereto a  
 warrant ready to be signed by two justices of peace of the parish, and deliver  
 it to the collecting constable 29 *Geo.* III. xii. 8  
 They are to exert themselves for the recovery of quit-rents and arrears for lands  
 in other parishes, as much as for those in their own parishes, under penalties  
 above directed 30 *Geo.* III. xiv. 8  
 They are to insert in the quit-rent rolls all lands given-in for, though lying in  
 other parishes besides their own, and transmit a fair copy of such rolls to re-  
 ceiver-general 31 *Geo.* III. xviii. 1  
 Are to send to colonels of militia names of persons who save deficiency, in four-  
 teen days after each quarter-day, under penalty of 20 l. 32 *Geo.* III. x. 3  
 Are, in twenty days after each quarterly giving-in, to transmit lists of white inha-  
 bitants (omitting minors and indented servants) to provost-marshal, that effec-  
 tive juries may be returned xvii. 9  
 Each is to have one copy of the laws of this island, published, as herein directed,  
 under the authority of commissioners xxix. 3

See PROCESS.

**Clerks to attornies at law, &c.**

- Their articles must be filed and recorded 4 *Geo.* III. viii. 2, 3  
 They must be sixteen years of age before articled, and serve five years, or the ar-  
 ticles will be nugatory 14 *Geo.* III. iii. 2  
 Their articles must be proved and recorded within three months after entered into 9  
 Oath



Oath must be made of their having really and truly served as clerks in the offices of the persons they were articulated to, during the term of their articles, before they can be admitted

4

If any attorney die before the expiration of articles, the clerk is to be entitled to the benefit of the time served, if he gets turned over to another attorney, &c.

7

Those articles already entered into (and the five years incomplete) are, if recorded in three months, to stand good

8

#### Clients.

If any client be nonsuited, through the negligence or ignorance of his counsellor or attorney, they are to pay his full costs of suit

33 Car. II. xxiii. 4

They are not to be injured by error in form

5

Clippings of current gold coins. See CURRENT coin.

#### Cloaths of soldiers.

Those who knowingly receive any, or change the colour thereof, are to forfeit 5 l. for each offence, or be otherwise punished

5 Geo. III. viii. 4

Cockets. See CLEARANCES--DUTIES.

#### Cocoa.

A duty of 15 s. per cwt. to be paid on importation in vessels of this island; and of 20 s. if in vessels not belonging hereto

1 Geo. II. i. 4

See BREACHES of trust, &c.--PRODUCE.

Cocoa-trees. See FIRE.

Coffee. See BREACHES of trust, &c.--PRODUCE--RECEIVERS of stolen goods.

#### Coffee-houses.

Not to be kept open on the 7th of June, under penalty of 40 s.

5 Gul. &amp; Mar. i. 3

Nor on the 28th of August, under same penalty

9 Geo. I. i. 3

Coffee-trees. See FIRE.

#### Coins.

Regulation of their value in 1681. Impairing or debasing any declared high-treason

83 Car. II. xix. 8

See CURRENT coin.

#### Collecting constables.

They must, if required, render accounts of public taxes to the receiver-general, or his deputy, upon oath, every two months, and pay over monies to him

13 Geo. III. xi. 8

They are declared amenable to the supreme court; the judges whereof must, on complaint

complaint



complaint on oath, by receiver-general or his deputy, make an order for any defaulter to shew cause, on oath, why attachment should not issue. If cause not shewn (service of the order being proved), attachment is to issue, and constable be imprisoned in the gaol of St. Jago de la Vega till money paid. Receiver-general may take out a writ of *venditioni exponas* against body and goods of the collecting constable's securities, as if "execution levied" had been returned, and mark levies for such sums as collecting constable has received; and he may take out a like writ against body and goods of any such constable not taken on the attachment, after it has been six days in the provost-marshal's office, and *non inventus* returned; or against the goods only, of those who have been attached.

Collecting constables are to pay receiver-general all expences he may be put to in prosecuting them; payment whereof grand court may enforce by attachment, writ of execution or *venditioni exponas*, or any other mode the court think proper.

If any collecting constable neglect to render accounts as above for what he has received, or, if he has not received any, to make oath that he has not, he is to forfeit 10*l.* for each offence, which is to be levied on his goods and chattels; in failure whereof, he is to be imprisoned till fine paid.

Collecting constables of parochial taxes are to render accounts to churchwardens every month; and they and their securities may be proceeded against, by churchwardens and supreme court, according to the manner above directed, in every respect, against collecting constables of public taxes. 15 Geo. III. ix.

Those who receive quit-rent rolls are to be amenable to grand court for any neglect in the execution of them, and for not paying proceeds to receiver-general, in the same manner as the collectors of other public taxes. 24 Geo. III. xi. 21

They are to forfeit 100*l.* for each refusal or neglect, contrary to the meaning of this act. 24; 29 Geo. III. xii. 16; 30 Geo. III. xiv. 4

They are to collect monies from all persons (their attornies, &c.) named in the quit-rent rolls, and pay them to receiver-general in thirty days after the rolls and warrants have been delivered to them, retaining 5 per cent. They are empowered to distrain on the goods, chattels, or slaves, of persons who refuse to pay, and to sell the distresses by auction, at the most public place in the parish, returning the overplus, if any, after deducting 1*s.* in the pound, for their trouble: But they must first give five days notice of the day and hour of sale, by an account of the goods, slaves, &c. distrained, and the marks thereon, if any, in a paper fixed up in the most noted place in the parish. They are not to take slaves if other distress can be had. 29 Geo. III. xii. 3

Their securities must be approved of by commissioners of public accounts. 9

When they cannot find distress for quit-rents, they are, under penalty of 50*l.* to deliver attested accounts thereof to receiver-general. They are to use means to collect all sums in their rolls, whether the lands for which they are due be in their own or other parishes; and, in default, they and their securities may be proceeded against as before directed. 30 Geo. III. xiv. 3

Collecting constables of public taxes are to pay rewards to parties; 31 Geo. III. i. 2

As well as their daily pay.



Collecting constables are to collect or distrain for public and parochial taxes when martial law is in force, as well as at other times;

ii. 5

Giving security for restitution, if judgment should be obtained on replevin.

6

See GAOLS.

### Collector.

Establishment of his fees, in 1711.

10 Ann. iv. 28

Table of the fees allowed by this act to be always open in his office, under penalty of 100 l. and if he take greater fees, he forfeits the same sum, and becomes incapacitated.

34

No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100 l.

35

He is, in time of war, to examine all vessels for arms and ammunition, 31 Geo. III. xi. 3

And proceed against those in which he finds any uncertified arms or stores.

5

See CLEARANCES--DUTIES--PORTS of entry and clearance--RECEIVER-GENERAL--SEIZING officers.

Coloured people. See EVIDENCE--FREE people--ISSUE of negroes.

Colt. See HORSE-STEALING, prevention of.

Commander in chief. See GOVERNOR.

Commanders of vessels. See MASTERS of vessels.

### Commission.

Of attorneys or agents of absentees, trustees, guardians, executors, and administrators, arising from receipts, payments, &c. of the rents, profits, produce, and increase, of estates for which they are concerned, reduced to 6 per cent. including the factorage-commission for supplies. Commissions for receiving and remitting monies lent or remaining at interest, and the interest thereof, reduced to 5 per cent. And if any person demand a greater commission, he shall, for every offence, forfeit 100 l. and also the whole commission on such sums as he shall receive larger commissions on. Mortgagees in possession are to have no commission but what they pay to factors. Commissions on sales of negroes, or other commodities, not affected hereby.

24 Geo. II. xix. 8

See CREDIT of the island.

### Commissioners for taking affidavits.

Are to be appointed in every parish and district, by chief-justice and one other judge of grand court; and affidavits so taken are to be as effectual as if taken in court.

14 Geo. II. iii. 1

### Commissioners of correspondence.

Resident members of the council and assembly appointed commissioners for in-

structing.



structing the agent for the island, under control of council or assembly when sitting. In intervals of assembly, five of the commissioners may instruct him. If the two bodies of commissioners disagree, and each body is unanimous, they may act separately

32 Geo. III. iii. 1

During intervals of assembly, two commissioners may open packets and letters from the agent; and when it is necessary for commissioners to meet, to transmit answers, or for other purposes, they, or any five of them, may appoint a day for the meeting of all the commissioners, giving ten days notice in the several newspapers; but, in case of a dissolution or prorogation, the commissioners, or five of them, may meet in six days thereafter, giving one day's due notice to every commissioner

2

Commissioners, or any *quorum* of them, are to meet in the assembly-room only. Minutes of their proceedings, with names of commissioners present at each meeting, are to be kept, and laid before the respective branches of the legislature, when required. They are to have no gratuity, except the charge of a clerk, books, and advertisements.

3

They are to direct the payment of the agent's salary, as well as of such disbursements as they find he has reasonably expended.

5

This act is to be in force till 9th December, 1794.

6

#### Commissioners of forts, fortifications, and public buildings.

Appointed commissioners for the fort, &c. at Lucea

27 Geo. III. iii. 2

Members of the council, and members of the assembly for the time being, are to be commissioners of forts, fortifications, and public buildings; and, jointly with the governor, to direct the repairing, finishing, and building, forts, barracks, &c. already built, building, or hereafter directed to be built; they may also contract with workmen, and hire or purchase negroes

31 Geo. III. x. 2

No agreement for work is to be made without previous public advertisements;

3

Nor contract entered into without security

4

No money is to be paid for works at St. Jago de la Vega, Fort-Augusta, Port-Royal, or Rock-Fort, without orders from the governor and five commissioners;

5

Who may order stones, sand, &c. to be collected from lands of any persons, making satisfaction

6

Commissioners are not to expend more on fortifications and public buildings than is granted from time to time by the assembly

7

This act to be in force till December, 1793.

8

Appointed commissioners for the fort, &c. at Montego-Bay

32 Geo. III. xxxi. 1

#### Commissioners of public accounts.

Members of assembly for the time being appointed commissioners; who (or any three of them, during intervals) are to adjust the public accounts with the receiver-general, and settle the several accounts of the old and new revenue, additional duty, deficiencies, poll-taxes, and all other funds and taxes; and also, when they think proper, look into and count over the public cash in the receiver-general's hands.

15 Geo. III. iv. 1

Security



Security offered by collecting constables of quit-rents must have their approba-  
tion

29 Geo. III. ii. 9

To appoint a person or persons for supplying troops with rations

30 Geo. III. ix.

**Comptroller.** See CLEARANCES--DUTIES.

**Concurrent rights.** See NULLA bona.

**Consolidated highway law.**

The act repealed in 33 Geo. III. since this abridgment was begun

31 Geo. II. xxi.

**Consolidated slave-law.** See SLAVES.

**Constables.** See COLLECTING constables--PETTY constables.

**Contracts.** See INTEREST.

**Controverted elections of returns.** See ASSEMBLY, house of.

**Conveyances.**

All bills of sale and other conveyances, made by husband and wife, being acknow-  
ledged before a judge, and duly recorded, declared valid

33 Car. II. xxii. 3

Those made by persons out of the island, either by husband and wife, or any single  
person, and acknowledged before the lord-mayor or mayor of any city in Eng-  
land or Ireland, or before the governor of any British island or colony, and  
duly recorded here, are to be effectual in conveying away lands or tenements

2 Ann. vii. 15

If any conveyance of property be made, in order to create votes at elections of  
representatives, it is to be valid and absolute, notwithstanding any agreement  
for re-conveyance. Those who are anywise concerned in such conveyances,  
are to forfeit 500 l.

21 Geo. III. xv. 15

See DEEDS--FRAUDULENT conveyances--POSSESSION--PROBATES--PUBLIC work-  
houses--RECORDS--TITLES.

**Coopers.**

Penalty on them for making small hogheads

9 Geo. I. vi. 2

See KINGSTON--SAVANNA-LA-MAR.

**Copartners.**

After process in partition returned, and affidavit made of due notice given to prin-  
cipal or representative; or, where neither can be found, to the occupier of lands,  
tenements, negroes, and other hereditaments, whereof partition is demanded;  
or, if none in possession but demandant, a copy of process in partition left on  
the premises fourteen days before ensuing court; if true tenant do not ap-  
pear, demandant having entered his declaration, court may examine demand-

ant's



ant's title, and quantity of his part and purpart, give judgment by default, and award writ to make partition, whereby proportion may be set out, which shall be conclusive, though all parties are not named, nor titles truly set forth. Appeal may be brought within a year; but if appellant loses, he pays treble costs 8 Geo. I. v.

**Copartners.** See COPARTNERCY--ATTORNIES *at law.*

**Copies of laws.** See LAWS.

**Copies of tolls.**

To be allowed as sufficient evidence as original toll-books, in all trials respecting titles to slaves. For each such copy 2 s. 6 d. to be paid 28 Geo. II. vii. 1

**Cornwall.**

This county constituted, and declared to contain the parishes of Westmorland, St. Elizabeth, Hanover, and St. James 31 Geo. II. iv. 1

A sufficient gaol to be built at Savanna-la-Mar for the use of this county 32 Geo. II. iii. 1

If any person be found dead in the county-gaol, the coroner's fees are to be paid by the public 11 Geo. III. xv.

A new gaol to be built in or near Savanna-la-Mar 19 Geo. III. xix. 1

A purse of one hundred pistoles to be run for yearly in this county, at times herein specified, and in the different parishes alternately 30 Geo. III. xii. 6

See COURTS of *assize.*

**Coroners.**

Establishment of their fees 10 Ann. iv. 15

Upon the first notice given them of a body being found dead, they are to cause it to be viewed, and an inquisition taken on it, according to the laws of England, and act in every thing relative thereto agreeable to such laws; for which they are to have 3 l. 11 Geo. III. xv.

They are to execute their office in every respect, notwithstanding martial law be in force 31 Geo. III. ii. 2

**Coroner's inquests.**

Fees on them are to be paid out of the estate of the deceased, or, where none, by churchwardens 10 Ann. iv. 15

The fees are to be paid, if a white or free person, out of the estate of the deceased, if any found; if not, or if the deceased were a slave, by the churchwardens of the parish where found, if at large. But if the person is found dead in either of the county-gaols, the fees are to be paid by the receiver-general, and charged to the public 11 Geo. III. xv.

**Corporal punishment of white persons.**

May be inflicted on those who knowingly receive arms, cloaths, &c. belonging to soldiers, and fail in payment of the penalty hereby inflicted 5 Geo. III. viii. 2

See BLASPHEMY--CURRENT coin--MILITIA--PRODUCE.

**Corrupt**



Corrupt bargains. See INTEREST.

Costs at law and in chancery.

See *BILLS of exchange*--*PERSONAL actions*--*TAXING bills*--*WRITS of error*.

Costs of increase.

Where defence set up to suits, in law or equity, for recovery of monies lent on mortgage or specialty, and plaintiff obtains judgment or decree, defendant is, besides usual taxed costs, to repay plaintiff's fees to counsel, travelling charges of his witnesses, and all other expences proved to have been incurred by the defence, which are to be taxed as costs of increase; but which the court, on application, may moderate 24 Geo. II. xix. 4; 29 Geo. III. xiii. 2

Plaintiff's counsel, if demanded, are to give a certificate of fees they have received.

Where agreement has been made to pay monies in Great-Britain, defendant is to pay not only the costs abovementioned, but commission and all other expences incurred by remitting the money, which are also to be taxed as costs of increase; but which the court may reduce 24 Geo. II. xix. 2

See *WRITS of error*.

Cotton.

To be weighed, if required, at public wharves, weight entered in a book, and receipt given 11 Ann. iii. 7

A duty of 3 d. per lb. to be paid on importation 1 Geo. II. i. 3

See *BREACHES of trust*, &c.--*NEW-COMERS*--*PRODUCE*.

Council. See *PRIVY-COUNCIL*.

Council of protection.

Justices and vestry of each parish are to be such council for slaves complaining of having been mutilated 32 Geo. III. xxiii. 10

Council of war.

To assist commander in chief in framing laws and articles of war 33 Car. II. xxi. 5

To be called on appearance of public danger; and, with their advice, martial law is to be enforced and conducted 7

It is to consist of the commander in chief, the admiral or commander of the squadron on this station, the members of the privy-council, the speaker and members of the assembly, general officers of the militia, field officers actually commanding regiments or battalions, and the field officers of such respective regiments or battalions in actual commission, twenty-one of whom are to be a *quorum* 32 Geo. III. x. 46

If the assembly be dissolved, or otherwise at an end, and it be necessary, before a new assembly meets, to summon a council of war, the members of the late assembly are to sit and vote 47

Martial law is not to be declared without the advice of this council, and, at the end of thirty days, is to be determined, unless continued by the same advice 48

Counsellors.



**Counsellors.** See BARRISTERS.

**Counterfeit.** See ASSAY--BROAD seal.

**Counterfeit coins.** See CURRENT coin.

**Counties.**

Jamaica divided into three counties, by the names of Middlesex, Surrey, and Cornwall  
31 Geo. II. iv. 1

**Court of admiralty.** See ADMIRALTY, court of.

**Court of chancery.**

All process, except attachments, may be served by any person 10 Ann iv. 24  
Proceedings are to be newly transcribed when necessary, and kept in good order  
by the register 9 Geo. III. xvii. 2  
All proceedings are to be recorded at length, within ninety days after lodged in  
the register's office 5  
Attornies, solicitors, &c. must be admitted as herein directed, before they are al-  
lowed to practise in this court 14 Geo. III. iii. 1  
Court cannot give relief where double rent demanded of tenants who keep pos-  
session beyond their term 25 Geo. III. vii. 1  
When equity of redemption of lands, slaves, &c. is wanted to be foreclosed, and  
defendant admits right, court may make orders previous to a regular hearing,  
which are to be binding x. 2  
Martial law is not to hinder the issuing of process 31 Geo. III. ii. 1  
See ISSUE of negroes--PRIVILEGE of assembly--REGISTER in chancery and clerk of patents.

**Court of errors.** See WRITS of error.

**Court of exchequer.** See REVENUE.

**Court of ordinary.**

Attornies, solicitors, &c. must be admitted as herein directed, before they are  
allowed to practise in this court 14 Geo. III. iii. 1  
See ORDINARY.

**Courts.**

The clerks of each respective court of record empowered to toll cattle 33 Car. II. x. 6  
Establishment of the supreme court and courts of common pleas xxiii. 1  
Judges are not to officiate before they have taken the oaths of allegiance and su-  
premacy in open court; nor to receive any other profits than are allowed by  
law, under penalty of 500 l. 3  
They are to establish rules and orders in their courts. No counsellor or attorney  
is to practise in any court until admitted thereby 4



Judges, on motion made in court, are to order amendments; and not, for matter of form only, reverse any judgment

5

No action of waste is to be allowed to lie in any court

6

Costs at law are to be taxed by the clerks of the respective courts; and if they allow more than hereby settled, they forfeit 500*l.* if prosecutions brought in two years after offences

10 Ann. iv. 36

Judges are not to add or alter fees

38

All courts authorized to receive the evidence of free people against one another, excepting against those who are privileged;

21 Geo. II. vij. 1

But not unless the witnesses have been six months manumitted

2

When damages are assessed on protested bills of exchange, court is to order interest to be charged from first day of the court till actual payment

28 Geo. II. ii. 1

If, on any action personal (not respecting lands or slaves), it appear to the judges that the debt or damages do not amount to 40*s.* they are not to award, nor the clerk to tax, more for costs than the debt or damages amount to, but less at their discretion

1 Geo. III. xxi.

Abilities of attornies, &c. must be certified, before they are admitted to practise in any court of law or equity

4 Geo. III. viii. 2

No action is to be allowed to lie in any court on a bill of exchange, till it has been protested for non-payment

15 Geo. III. xxi.

Slaves belonging to the estates of testators or intestates may be recovered by executors or administrators, in any of the courts of this island

16 Geo. III. xv. 3

The laws published under authority of commissioners, are to be received as conclusive evidence in all courts

30 Geo. III. xx. 2; 32 Geo. III. xxix. 2

See the different courts--CREDIT of the island.

#### Courts-martial.

Their orders to be binding in all military affairs, when court appointed by commander in chief

33 Car. II. xxi. 6

Governor to grant commissions to colonels of militia, for holding them

32 Geo. III. x. 36

See MILITIA.

#### Courts of assize.

Governor empowered to issue commissions under the broad seal, appointing justices of assize for the counties of Surrey and Cornwall;

31 Geo. II. iv. 7

And to associate others with the justices named in such commissions

8

Persons so appointed are to be called justices of assize and oyer and terminer and gaol-delivery. Previous to executing their office, they must, before the governor, or some person by him deputed, take the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, the oath of abjuration, repeat and subscribe the test, and take the oath of office now taken by the judges of the supreme court; and also, before they proceed on business in the courts, take the same oaths, &c. in open court

9

Taking the oaths, and repeating and subscribing the test, in open court, to be sufficient, without taking them, &c. before the governor

10

They



- They are to have the same power, authority, and jurisdiction, as the justices of assize and *nisi prius*, justices of oyer and terminer, and justices of gaol-delivery, have in England 11
- Crimes and offences committed in Surrey are to be determined by a jury of that county, before the justices of assize thereof, at Kingston; and those committed in Cornwall are to be tried, in the same manner, at Savanna-la-Mar 8
- All actions or suits, that may by law be brought in the supreme court, are still to be brought and filed there; and every declaration on such actions is to have the name of the county, in which cause of action arises, indorsed on the back, and also wrote in the margin; and the usual proceedings are to be had, until judgment obtained thereon by demurrer, *nil dicti*, &c. or till issue joined. Damages on such judgments are to be assessed, and issues joined be tried, in the court for the county where causes of action respectively arise 5
- Informations are to be filed, indorsed, &c. and proceeded on as above till judgment or issue joined, and issue be tried in the proper county, like other issues 12
- No information respecting the violation of any act relating to trade and navigation, or laying duties and customs on importation or exportation, nor for land under the quit-rent acts, nor any escheat, can be tried in these courts. Informations for land are to be proclaimed in each of the assize-courts that immediately follow the supreme court in which they are proclaimed, and as often as they are proclaimed there, and such proclamation is to be indorsed on the back of the information 13
- On motion made, and good reason shewn, in grand court, certain suits herein specified may be tried there, though cause arise in Surrey or Cornwall 14
- Surrey assizes to be held the last Tuesday in April, July, October, and January; and Cornwall assizes the last Tuesday in March, June, September, and December 16
- Judgments in these courts, unless cause shewn within one day, are to be valid, and not revivable by grand court; and executions may be taken out, returnable at next supreme court, as if the judgments had been obtained there 17
- Justices of assize may make rules, set fines, &c. independant of the supreme court 18
- Judgments of assize-courts, and those of grand court immediately preceding, are to be as of one and the same court; and executions therein issued, and lodged before succeeding supreme court, are to have an equal right in point of priority 19
- Jurors are to be summoned for these courts in the same manner as for the supreme court 20
- Provost-marshal, or his deputy, to attend the whole time of assize-courts 21
- Clerk of the crown, or his deputy, to do the same, and to record all proceedings 22
- Clerk of the supreme court, or his deputy, also to attend, with original records, convey back the verdicts, &c. and have them recorded in his office 23
- Writs of *subpoena*, and other writs returnable in these courts, are to be issued by clerk of the crown, or clerk of the supreme court 24
- Returns of writs of *certiorari*, for removing proceedings from inferior courts, are, in Surrey and Cornwall, to be made before the justices of assize of those counties 25
- If, by reason of justices not coming, or by any other means, assize-courts are not



held on the days appointed, no indictment, information, action, &c. shall be thereby discontinued, but may be proceeded on at the next court

26

If only one juryman appear upon the writ of *venire facias*, justices may command provost-marshal to summon as many of the bystanders as shall be sufficient to make up a full jury; which persons, with the one named in the writ, when sworn, may proceed to determine any matter, or assess any damages

27

Books of entries are to be kept in Surrey and Cornwall, wherein the clerks of the court and crown are to enter true dockets of all judgments, verdicts, assessments of damages, sentences, fines, &c. and subscribe and attest them within two days after each court. The books are to be respectively kept by the clerks of the peace of Kingston and Westmorland, in the towns where the courts are held

viii. 4

If original records are lost or damaged, and proof thereof made before the supreme court, that court is to cause the dockets to be recorded, and order execution, or other due process, to issue

2

The books of entries are to be deemed public records, and to be open for inspection; and alterations, erasures, &c. are to be punished as if made in other public records

3

The fees of the clerks of court and crown are to be added to costs. Clerks of peace are to be paid 1 s. 3 d. for each search, and 2 s. 6 d. for each attested docket. If any person neglect duties above-mentioned, he forfeits 20 l.

4

Fines, &c. to be certified by clerk of the crown to attorney-general and receiver-general, in twenty days after every subsequent grand court

1 Geo. III. xiii. 1

Writs of enquiry respecting lands of absentees, informed against for non-payment of quit-rents, are to be proclaimed the first Thursday, and enquired into during the same court;

9 Geo. III. ix. 6

And justices are to transmit the writ, with the verdict of the jurors, to the clerk of the supreme court

7

Justices are not to set aside proceedings had before justices of peace in cases of forcible entry or detainer, for want of form, if facts proved;

14 Geo. III. xvii. 2

But they may, if action of damages brought in such cases, and verdict obtained by plaintiff, award double the damages assessed by jury

3

Justices may fine and imprison, at their discretion, persons who pass bonds for more than is due on them

xxviii. 5

These courts are to sit no longer than till the Saturday in the second week after meeting; but may be adjourned sooner, business permitting

15 Geo. III. vi. 2

One justice of assize may hereafter open and adjourn them

3

Justices to inflict penalty on guardians, &c. who wrongfully suffer slaves of minors to be levied on

17 Geo. III. vii. 1

To inflict penalty on persons who, after bond given, transport, conceal, &c. slaves purchased conditionally

5

Justices authorized, immediately upon verdicts being returned that defendants are accountable, to appoint auditors, to receive returns from them, and to give final judgment thereon

xiii. 1

Writs directed to auditors may, on request of plaintiff, be made returnable immediate to the justices

2

When,



When, after judgment in dower, partition, or in *ejectione firmæ*, writs of error have been brought, and judgment affirmed, writ discontinued, &c. judges are to issue writs of enquiry, and award execution for mesne profits, damages, and costs xvi. 3

Justices are not to be removed from their offices, but by the king's order 21 Geo. III. xxv. 1

Governor may, by advice of five of the council, suspend any of them, accounting to his majesty for; and delivering to the justice a copy of the cause of, such suspension, signed by himself 2

Justices empowered to release insolvent debtors; 28 Geo. III. viii. 3, 4  
And appoint assignees from among their creditors 9

Justices are not, in cases of inveigling, to remove proceedings till after judgment, nor set them aside for want of form 29 Geo. III. iii. 21

In cases of forcible entry and detainer, justices are to proceed, notwithstanding martial law be in force 31 Geo. III. ii. 3

Justices may punish, by fine or imprisonment, or both, persons who use slaves cruelly 32 Geo. III. xxiii. 13

Each justice is to have one copy of the laws of this island, published, as herein directed, under the authority of commissioners. xxix. 3

See MARTIAL law.

### Courts of common pleas.

To have jurisdiction over all causes, wherein freeholds are not concerned, to the value of 20*l.* with costs, and no more; and to be held at same time and place as quarter-sessions, once every three months 33 Car. II. xxiii. 1

Chancellor may grant a *justicias* for any of them. 2

Matters under 20*l.* to be tried in the court of the precincts where cause of action arises, if both parties reside there. 6

Judgment is to go by default, as in supreme court, if no appearance put in, and if marshal regularly prove legal summons. 7

Establishment of fees to be taken in them 10 Ann. iv. 10, 13

Not to interfere where titles of land and negroes are concerned 11

For sums under 20*l.* judges may issue foreign attachments. 12

Chief judge only can administer oath to attornies, agents, &c. respecting profits of real estates 13 Geo. II. ix. 3

Authority of these courts not abridged by the establishment of assize-courts 31 Geo. II. iv. 6

Fines, &c. to be certified by clerks of the courts to attorney-general and receiver-general, in twenty days after each court 1 Geo. III. xiii. 2

Attornies, solicitors, &c. must be admitted as herein directed, before they are allowed to practise in these courts; 14 Geo. III. iii. 1

And if any other person practise, he forfeits 100*l.* and the chief judge and assistant judges 200*l.* for permitting it 6

Judges may order restitution, or delay sale, of slaves of minors, in certain cases 17 Geo. III. vii. 3

See COURTS--JURORS.

Courts



**Courts of quarter-sessions.**

- The act for preventing breaches of trust by attornies, &c. to be read at each sessions 13 Geo. II. ix. 5
- Authority of these courts not abridged by the establishment of assize-courts 31 Geo. II. iv. 4
- Fines, &c. to be certified by clerk of the peace to attorney-general and receiver-general, in twenty days after each sessions 1 Geo. III. xiii. 2
- Attornies, solicitors, &c. must be admitted as herein directed, before they are allowed to practise in these courts; 14 Geo. III. iii. 1
- And if any other person practise, he forfeits 100 l. and the custos and his associates 200 l. for permitting it 6
- Lists of wandering, sick, aged, or infirm slaves, in public workhouses, are to be delivered to presiding magistrates every court 32 Geo. III. xi. 12
- Justices may punish, by fine or imprisonment, or both, persons who use slaves cruelly xxiii. 13
- At every court, the justices, after the usual business is done, are to form themselves into a court, to enquire into all offences for which slaves are liable to be punished with death, transportation, or confinement to hard labour, declaring the same to be a slave-court; when they may proceed in the same manner as the three justices associated are, by this clause, directed to proceed; and may cause a jury, consisting of nine jurors, to be called and taken from the panel for these courts; 48
- Who must serve, under penalty of 5 l. each 49
- See COURTS--JURORS--JUSTICES in sessions.

**Coverture.** See WOMEN under coverture.

**Cow.** See CATTLE.

**Crawford's Town.** See MAROONS.

**Credit of the island.**

- In all suits in law and equity, for recovery of monies lent on mortgage or specialty, where a defence is set up, and plaintiff obtains judgment or decree, either for monies or properties, defendant is not only to pay plaintiff usual taxed costs, but also fees paid to counsel, travelling charges of plaintiff's witnesses, and all other attested charges, which are to be taxed as costs of increase 24 Geo. II. xix. 1; 29 Geo. III. xiii. 2
- In all suits for monies agreed to be paid in Great-Britain, whether agreement be by parole or in writing, defendant is to pay the above-mentioned costs, and also commission and all other charges plaintiff may sustain by remitting monies home, subject to taxation as above 24 Geo. II. xix. 2
- If any person bring a writ of error, which judges certify to be frivolous, he is to pay defendant in error double the expence he has been thereby put to 3
- When



When *nulla bona* returned on judgments obtained, plaintiff may issue a writ, in form here specified, for sale of defendant's lands

13 Geo. II. cap. 9, "for preventing frauds and breaches of trust, &c." revived, and made perpetual

The large commissions taken on estates having been an obstruction to the credit and settling of the island, the attornies or agents of absentees, trustees, guardians, &c. are not to charge more than 6 per cent. including factorage-commission, nor more than 5 per cent. for receiving and remitting monies

No payment is to be deemed good and legal but current gold and silver coin, except where parties agree for payment in produce

Foreigners or aliens, lending money to persons in this island, may hold freehold or leasehold estates as security

If the securities are forfeited, they may prosecute them to a sale, in the names of trustees hereby appointed; but they must not enter into actual possession, nor foreclose equity of redemption

Whenever judgment is obtained by persons resident in Great-Britain or Ireland, against inhabitants of this island, an interest of 5 per cent. is to be allowed on the principal, from the first day of the court in which judgment is obtained, till it be fully paid; and plaintiffs, their attornies, &c. may mark levies or other process accordingly

Persons setting up defence are to pay costs of increase, as heretofore

All executions lodged for judgments taken against executors or administrators, within the two next courts after pleading the rule of executors, are to be exactly on the same footing of priority as if they had been taken together the first court

See ALIENS--BILLS of exchange--COMMISSION--NULLA bona--WRITS of error.

#### Creditors.

See COSTS of increase--EXECUTORS--GENERAL issue--INSOLVENT debtors--SATISFACTION--TITLES.

#### Criminal process.

Not to be at any time discontinued by martial law occurring

#### Crops.

See BREACHES of trust, &c.--EMBLEMENTS--MORTGAGES in possession.

#### Crown lands.

If any persons, by mistake of surveyors or otherwise, settle on lands belonging to his majesty, such persons are to be preferred to all others, and, on application, have patents, provided they pay quit-rents for the time they have been in possession

If grants or patents of any such lands be fraudulently obtained after so settling, they are to be void

See SURVEYORS.

Crown



**Crown witnesses.**

When any witness for the crown, in a criminal prosecution, is committed to gaol for want of sufficient surety, he is to be paid 5 s. *per* day by the marshal; which receiver-general is to repay out of unappropriated public monies

32 Geo. III. xvii. 22

**Cultivated lands.** See *NULLA bona.***Curates.**

May be employed by beneficed ministers; but no minister who holds the benefice of one parish is to act as curate of another

11 Geo. III. xvi. 2

**Current coin.**

Persons trading from America and other parts having introduced base and counterfeit coins, resembling the Spanish and other gold coins current here, and there now being in circulation much Spanish and other gold coin which has been, by clipping and other means, reduced from its original value, it is enacted, that if any person hereafter, by any means, coin, falsify, counterfeit, impair, diminish, scale, wash, clip, file, or lighten, any coins of foreign realms which are, or shall hereafter be, current here, he shall, as well as his abettors, on conviction, be deemed guilty of felony, and suffer death without benefit of clergy

14 Geo. III. xviii. 1

Persons buying, selling, or knowingly having possession of, any clippings or filings of current coin, are to forfeit them, together with 500 l. be also branded on the right cheek with the letter R, and suffer imprisonment till fine paid

2

Any justice of peace may enter into suspected places, in search of utensils, counterfeit coin, clippings, and filings: If interrupted, they, with a constable, may break open doors, chests, cabinets, &c. and if any such articles found, they are to be seized, as well as the possessor, who is to be committed to gaol for trial

3

If any master of a vessel, supercargo, or other person, knowingly import, or cause to be imported, any base or false coins, he is to be deemed a felon, and suffer death without benefit of clergy

4

Ascertainment of the weights and value of Spanish, French, and Portuguese gold coins, allowed to be current here

5

When such coins are deficient in their weight, a deduction of 3 d. for each grain wanting is to be made

6

The herein-mentioned gold coins are in future to be current, and be considered as legal tender in all payments, at the rates above specified

7

Reservation made for different adjustment of the value of such coins, by royal proclamation or otherwise

8

If gold or silver coins, offered in payment, are suspected to be base, they are to be carried to a magistrate, who may order them to be cut into two equal parts; but as the persons offering such coins may be free from criminal intention, the pieces are to be delivered back to them

9

Lois



Loss on light money, now in possession of the provost-marshal, receiver-general, and paymasters of regiments, is to be borne by the public

10

**Custodes.**

May order restitution, or delay sale, of slaves of minors, in certain cases

17 Geo. III. vii. 2

See ASSEMBLY, house of--PARISHES.

**Cyber.**

A duty of 40 s. per ton to be paid on importation

1 Geo. II. i. 1

Danish colonies. See FOREIGN produce.

Deal boards. See BOARDS, plank, scantling, and ranging timber.

Debtors. See INSOLVENT debtors.

**Debts.**

THOSE under 20 l. are to be sued for in the courts of the respective precincts, if both parties reside there, except in St. Catherine's precinct 33 Car. II. xxiii. 6

Slaves made subject to payment of them 8 Gul. II. iii. 40

Writs of *venditioni exponas* for quit-rent bonds are to have priority of those for all other debts 24 Geo. III. xi. 8

See INSOLVENT debtors--MUTUAL debts--PERSONAL actions--ST. CATHERINE'S precinct--WRITS of error.

**Debts and differences.**

Those not exceeding 40 s. and not concerning titles to land, are to be finally decided by the justices of peace in their several precincts; who are, on complaint made, to issue warrants, and, if they be not obeyed, warrants of contempt, for which contempt parties may be fined 10 s. to be recovered, with debt and charges, by distress; in failure whereof, parties are to be confined till the whole paid. Proceedings are to be recorded 33 Car. II. vi. 1

In such debts, justices may issue warrants of attachment to constables, and determine matters immediately xxiii. 9

Those between masters and servants (overseers excepted) are to be decided by two justices, without appeal, whatever the sum contended for 9 Geo. II. ix. 8

Those due to or from maroons are to be determined as last above directed 32 Geo. III. iv. 17

**Declarations.**

Must be filed before any writs are given out 10 Ann. iv. 7

When assigned bonds are sued, the names of obligees, and the assignment, must be set forth in declarations 14 Geo. III. xxviii. 3

See ARRESTS.

H

Dedimus



**Deedimus.** See ORDINARY.

**Deeds.**

Deeds, when made in due form, and acknowledged or proved before the governor or a judge of one of the courts, are to be enrolled in the office of enrolments within three months after their date, or not to be valid. 33 Car. II. xii. 1.

Old deeds or conveyances, omitted to have been recorded, and hereafter recorded, are to be valid, except where second conveyances have been executed and recorded, when the last vendee is to enjoy the property. Deeds that have been omitted to be executed and enrolled within the limited time shall be valid, if done prior to any second sale, and be a bar against the first vender. 2.

Deeds and conveyances executed out of this island, and remitted hither, being proved as above, and those personally acknowledged by the granter in the mayoralty court of London, being attested under the seal thereof, and recorded here in six months after arrival of the ship which brings them, shall be as valid as those executed here and recorded. But if a sale has been lawfully made here, and recorded, previous to their being produced, the sale made here is to stand good and effectual. 3.

Receipts are to be given for all deeds or other writings left in the secretary's office. They are to be recorded at length in fifty days, and be deemed enrolled from the time of delivery. 10 Ann. iv. 2.

An omission having occurred in 33 Car. II. cap. xii. cl. 2, all deeds heretofore made of lands, tenements, slaves, or hereditaments, having been proved or acknowledged, are to be valid, where no second sale has been recorded. 4 Geo. II. v. 4.

Deeds executed here, for such properties, are to be proved or acknowledged, and recorded, in ninety days after their dates, or to be of no effect against other real purchasers, or mortgagees, who prove and record their deeds in time prescribed; But they are to remain valid against the first vender or mortgager, if enrolled prior to a second sale being recorded. 5.

Deeds executed out of this island, for lands, &c. are to be duly proved or acknowledged, and recorded, in six months after their dates, and in ninety days after arrival of the ship which brings them, or to be void as to all persons but the vender or mortgager, if the first vendee or mortgagee shall prove and record prior to the recording a second purchase. 4 Geo. II. 7. 7.

Transcripts lately made and attested, declared valid. 4 Geo. II. iv. 1.

Time allowed by 4 Geo. II. cap. v. cl. 7, for recording deeds executed out of this island, being found too short, it is hereby extended to twelve months after the dates of the deeds or conveyances, but must still be within ninety days after the arrival of the ship that brings them. 16 Geo. II. v.

All deeds and other papers (except last wills) which shall have been recorded in the secretary's office, and have afterwards remained there for twenty years, are to be destroyed. 21 Geo. III. xxiii. 5.

Those for which secretary's receipts have been lost may be delivered back, after they have remained in the office two years, proof of property being given. 6.

See ALPHABETS--FORGERY--FRAUDULENT conveyances--MANUMISSIONS--POSSESSION--PROBATES--QUIT-RENTS--RECORDS--TITLES.

Defacing



Defacing marks. See CATTLE.

Default. See COPARTNERCY--COURTS of common pleas.

Defence. See CREDIT of the island.

### Defendants.

Any defendant having his goods taken upon execution, is to have liberty to convey them, at his own cost, to the most convenient place, and there bargain and sell them, first acquainting the marshal with such bargain, that he may deliver them, and receive proceeds; 33 Car. II. xxiii. 11

But if defendant delay selling the goods till ten days before the ensuing court, marshal is to sell them by public outcry 12

Where negroes, working cattle, or utensils, must be taken in execution, they are to remain in the defendant's possession, and a writ of *venditioni exponas*, without charge of mile-money, issue; 13

And although defendant cannot produce goods in the limited time, execution is not to be laid on negroes, &c. if cattle in a pen is delivered, to be sold by public outcry, on the writ 14

Defendant is to make good all damage that happens to goods left in his possession; he is not to transfer any such goods 15

Although body of defendant be taken in execution, if any effects afterwards appear, plaintiff may take out another execution, and levy on effects 16

To have notice from marshals when levies are made 8 Geo. II. v. 3

May recover 100 l. from such plaintiffs as do not, in six months after judgments paid, authorize clerk of grand court to enter satisfaction; and 100 l. from clerk of court, if he neglect entry after authorized 14 Geo. III. xxviii. 14

Alphabetical lists of their names are to be kept in provost-marshal's office, when writs of execution have been lodged, together with an account of levies made on their effects 21 Geo. III. xxiii. 4

See BAIL-BONDS--BILLS of exchange--CREDIT of the island--INVEIGLING slaves--LEVIES--MORTGAGES--MUTUAL debts--NULLA bona--PROCESS--RENTS--SATISFACTION--WRITS of error--WRITS of replevin.

### Deficiency.

Deficiency tax to be under the cognizance of commissioners of public accounts, when assembly not sitting 15 Geo. III. iv. 1

Names of persons given-in to save deficiency are to be delivered to commanders of militia four times a-year 32 Geo. III. x. 3

No man is to save it, who does not do militia duty 30

See SEA-COASTS.

Delays. See COSTS of increase--WRITS of error.

Deputy marshals. See PROVOST-MARSHAL--MARSHALS.



**Detainer, forcible.** See **FORCIBLE entry and detainer.**

**Device of chance.** See **GAMING--LOTTERIES.**

### **Devifes**

Those made by aliens confirmed

35 Car. II. iii. 3

See **FREEHOLDERS--INVEIGLING slaves--ISSUE of negroes--SPANISH-TOWN road.**

### **Devifes of slaves.**

No devise of any slave by will is to be valid, unless the will be executed according to the form prescribed by stat. 29, Car. II. commonly called the statute of frauds and perjuries, which declares, "That devifes shall be in writing, signed by the party devising, or some other in his presence, and by his express directions, and shall be attested and subscribed, in the presence of the devisor, by three or four credible witnesses, or else they shall be void;" and makes various regulations respecting nuncupative wills. But provision is made that devifes recorded here within a limited time are to stand good, though not executed according to the above-mentioned form.

16 Geo. III. xiv.

**Dice.** See **GAMING--LOTTERIES.**

**Diminishing current gold coins.** See **CURRENT coin.**

### **Discharges.**

Not to be refused to militia-men who are removing from one precinct to another

33 Car. II. xxi. 2

No soldiers or servants are to be employed or carried off without producing them

9 Geo. II. ix. 1, 2, 3.

### **Discontinuance.**

No cause is to be discontinued in the assize-courts, on account of those courts not being held at the appointed time, whatever may be the cause thereof

31 Geo. II. iv. 26

See **MARTIAL law--PREVENTING discontinuance--WRITS of error.**

**Disorderly persons.** See **PUBLIC workhouses.**

### **Distries.**

Commissioners to be appointed in each, for taking affidavits to be made use of in grand court

14 Geo. II. iii.

### **Dividing fences.**

Where fences between adjoining settlements are wanting, or insufficient, either neighbour may require the other, his or her guardian or attorney, to assist in the work

25 Geo. III. xi. 1

In case of refusal, a jury of three neighbouring freeholders is to be summoned, who are to make return to magistrate; under whose order, complainant may

complete



complete the work; the price of which a jury of three is to settle, considering convenience to each. Payment of awarded proportion may be obtained by distress 2  
Gates are to be kept up by pens, watchmen by estates, where they adjoin; and settled by juries for other adjoining settlements 3

**Division of the island.**

All pleas being triable in the supreme court only, which occasions much inconvenience to those who live at a great distance from St. Jago de la Vega, the island is hereby divided into three counties, by the names of Middlesex, Surrey, and Cornwall 31 Geo. II. iv. 1

*See COURTS of assize.*

**Debtors.**

Those employed on plantations or other settlements are, on every 28th December, or in thirty days after, to give-in accounts to justices and vestry, on oath, of the deaths of slaves under their care, and the causes thereof, to the best of their judgment, under penalty of 100 l. for each default 32 Geo. III. xxiii. 35

**Dogs.**

If any person who is not a planter, and has not five acres of land planted, hunt with a gang of dogs, he shall forfeit his dogs, and 10 l. sterling; and if any person own a gang of dogs which does not belong to him, he shall forfeit the same sum 33 Car. II. x. 12  
If any hunting gang of dogs shall kill or maim any tame stock, or do them any damage, satisfaction, if less than 40 s. shall be obtained by means of a justice of peace; if more, it must be sued for 13  
No gang of dogs is to be hunted within four miles of any crawl or settlement 14

**Dormant bills.** *See LIMITATION.*

**Dower.**

Slaves assigned for it may be taken to pay debts, but not legacies; 8 Cal. III. ii. 41  
And husbands, having slaves in their own right, may sell or give them away during their life-time, which bars claim of dower 42  
*See SLAVES--WRITS of error.*

**Dragoons.** *See LIGHT dragoons--SLAVES.*

**Dar's crawl.** *See BARRACKS.*

**Droppers.**

Masters to give security but once a year 35 Car. II. i. 2  
Sloops or boats which carry goods for hire, are always to be navigated with two white men; the rest of the crew to be white men, free mulattoes, and free negroes; only one slave to be employed in each 31 Ann. iii. 2  
Any



Any sloop, boat, or canoe, carrying goods for hire, may, paying the usual rates, land them at, or carry them from, any public wharf, barquadier, or landing-place. If hindered, offender to forfeit 40 s.

4

Need not have pilots employed in them

10 Geo. II. iv. 5

Owners of sloops, schooners, or other vessels, kept for transporting goods from one port to another about the island, may take freight according to the annexed table

31 Geo. II. iii. 1

They, or the commanders, may detain as much of the goods as will pay the freight from the out-ports to Kingston, in case consignee refuses payment; such goods being valued by a justice of Kingston

2

For goods carried from Kingston to any of the out-ports, payment may be demanded from the shipper, after delivery, according to bills of lading; and, if refused, application be made to two justices of Kingston, who (under penalty of 20 l.) must hear the complaint, and cause distraint to be made by a constable; and he, giving five days notice, is to sell the goods, retaining 1 s. poundage

3

It being, from the great number of out-ports, difficult to establish a regular freight, the freight of goods carried from one out-port to another may be agreed for, and payment enforced by one magistrate of the parish where the shipper resides; and, in such parishes, the magistrates (under like penalty) and constables are to act as those of Kingston

4

Shippers, as well wharfingers as others, are to deliver all kinds of goods by weight, gauge, measure, quantity, or condition, and take two or more bills of lading; one of which, with the invoice, they must send to consignee, or stand to all loss. Commanders of such vessels must sign the bills of lading, under penalty of 50 l. but shippers must not unnecessarily detain them for that purpose

5, 14

Wharfingers are to weigh, gauge, measure, &c. (according to quality) the goods shipped or landed

6

Commanders must sign bills of lading for goods to be carried from any out-port or shipping-place to Kingston

7

They must have a clearance every time they sail from Kingston, specifying, on oath, the ports they are to call at; and must not stop at any other, under penalty of 50 l. till they have been to them; which they must do in regular succession, accidents excepted; in which cases they are, within forty-eight hours after arrival at any port not cleared out for, to make a regular protest, upon oath

8

If any commander dispose of, or fail to deliver, any goods taken on freight, he is to forfeit treble the value thereof

9

Commanders are, under penalty of 50 l. to deliver each parcel of goods at the port specified in the bills of lading; and if they do not deliver them according to the weight, gauge, &c. they are to forfeit treble the value

10, 14

Those who sign bills of lading for proof rum, and do not deliver it of sufficient proof to sink oil of olives, are to forfeit 10 l. for every puncheon or cask so delivered. Justices are, under penalty of 20 l. to hear complaints, and proceed as directed in cl. 3

11, 14

Commanders who spoil or adulterate any wines are, for each offence, to forfeit double the value of the pipe or cask of wine

12, 14

All



All dregging vessels are to be registered at the naval office, with the names of the owner and the commander, who must be a white man; and the number of the vessel is to be painted on her side; under penalty of 200 l. for failure in either particular

13

Bills of lading are to be given for goods sent to Kingston from Passage-Fort and Port-Henderson, and to those places from Kingston; the delivery whereof is to be under the regulations prescribed in *cl. 5, 10, 11, 12*

14

During war, 50 *per cent.* additional freight may be taken

15

See ANNOTTO-BAY--KINGSTON--MARTHA-BRAE, *harbour of*--PUBLIC hospital--  
STOLEN goods.

*Dry-Harbour.* See RIO-BUENO.

#### Duplicate orders.

Surveyor to make discovery if he know of any being given for land 35 *Car. II. vi. 5*

*Dutch colonies.* See FOREIGN produce.

#### Duties.

The following are to be paid, on importation, for the purpose of raising a permanent revenue: Spanish and Madeira wines, 6 l. *per ton*; those of the Azores, or Western Islands, either pure or mixed with Madeira, 12 l. *per ton*; French, Rhenish, or Portugal wines, 5 l. *per ton*; brandy, arrack, or other spirits, 1 s. 6 d. *per gallon*; beer, ale, or cyder, in casks or bottles, 40 s. *per ton*; mum or metheglin, 3 l. *per ton*; refined sugar, 6 d. *per lb.*; muscovado or pancel sugar, 3 s. *per cwt.*; tobacco, 4 d. *per lb.*; ginger, 15 s. *per cwt.*; indigo and cotton, 3 d. *per lb.*; cocoa, if brought in vessels of this island, 15 s. and if in other vessels, 20 s. *per cwt.*

1 *Geo. II. i. 1*

Importers of such goods, being required by receiver-general, must pay duties in ten days, or, if exceeding 5 l. give bond, and, on payment, shall be allowed 10 *per cent.* for leakage and prompt payment; where bond given, half to be paid in six weeks, and the remainder in twelve weeks; but if payment not made in three months, no allowance to be made for prompt payment. If liquors turn sour in the ten days, naval officer to grant a warrant of survey; which is to be returned in twenty-five days from arrival of the vessel. If importer refuse to make up his accounts, he loses the benefit of all allowances, and must pay 10 *per cent.* for delay, if sued

2

Upon importation of Madeira wines, the master or boatswain is to make oath they were received at Madeira, and that they do not know there is any mixture of the wines of the Western Islands with them; and, if the oath be refused, the wines are liable to the same duty as those wines are

3

Vessels coming from north of the tropic of Cancer are to pay a pound of good and new gunpowder, for every ton they contain, every time they arrive; those trading to the south of it, a pound every year for each ton, towards the use of the forts and fortifications;

4

Which



- Which must not be received but in kind, under penalty of 500 *l.* unless any odd pounds, under a barrel, are to be paid, when 1 *s.* 6 *d.* *per lb.* may be taken 5
- If importers land or attempt to land, or to remove to a different vessel, any of the above-mentioned goods, without either the presence of an officer, giving notice, entering, paying duty, or giving bond, all such goods, if seized, are to be forfeited, information being filed in the grand court, unless claim made in twenty days, and proof given of duties being paid or secured 9
- All the above-mentioned duties are to be applied solely to the support of the government of this island, and its contingent charges 20
- If wines are imported in casks containing less quantities than herein specified, they are to be paid for at the rate of 50 *l.* *per ton*, over and above other duties imposed by law 11 *Geo. III. xi.*
- It having been found difficult, and sometimes impossible, to collect the different duties imposed by law, the collector and comptroller, at the several ports, are hereafter, on the entry of every vessel, to make out, as far as can be ascertained from the documents produced to them, a certificate of the quantity of all liquors and goods imported in each vessel, liable to duties; which they are to sign, and send, with the cockets, to the naval officer, who is to compare the certificate with the cockets, and with the manifest lodged in his office, and, on finding the statement right, he is also to sign the certificate, and then transmit it, with the cockets, to the receiver general; and he is to make out therefrom, and from the manifest lodged in his office, an account of all the duties and imposts established by law on the several commodities; he is then to sign the certificate, and return it, with the cockets, to the collector and comptroller, who are to file the certificate in the collector's office; and then, and not before, grant the usual permits for landing the goods 28 *Geo. III. xv. 1*
- Where cockets for liquors do not express the contents of casks or packages, they are, till quantity be ascertained by gauge, to be thus estimated: A butt, at 140 gallons; a pipe, 126; a hoghead, 63; a quarter-cask, 31; and the duties be charged accordingly. On liquor imported in bottles, the duties are to be calculated at the rate of three gallons for each dozen bottles 2
- No part of the goods is to be landed till the duties, ascertained as aforesaid, are paid, or bond given, under penalty of forfeiting such goods, with the boats, wherries, or canoes, wherein they are; which the receiver-general and naval officer, or their deputies, are empowered to seize 3
- On all certificates on which duties shall be paid, the receiver-general is to pay the collector 10 *s.* the comptroller and the naval-officer 5 *s.* each, and charge those sums to the account of the duties 4
- Duties, under penalty of 200 *l.* are to be paid in forty-eight hours after vessel's arrival, and before bulk broke, or original register of the vessel is to be delivered up; which receiver-general may detain till all duties are paid. Deduction of 10 *per cent.* allowed by *cl. 2* of 1 *Geo. II. cap. 1*, confirmed 5
- When information is given, on oath of the collector, comptroller, or other officer of the customs, or on that of the naval officer, receiver-general, or either of their deputies, of goods being concealed, or suspected so to be, in any house, store,



store, &c. and that the party having the custody thereof cannot be found, or refuses to permit it to be searched by a proper officer, one judge of the grand court, or any two magistrates, on application being made to them, must, under penalty of 200 l. immediately grant a writ of assistance for searching such suspected places; which writ is to be directed to the marshal or any constable of the parish, who is to assist the officer in seizing the goods, or forfeit 200 l. for refusal or neglect

6

Wines having been entered for exportation, and afterwards privately landed and sold without the duties being paid, no wines are hereafter to be landed, on any pretence, till the duties are paid, or bond given; the vessel's register is to remain as security for payment of the bond, and the money be paid before the vessel is cleared outwards. If the wines are afterwards exported, the duties are to be returned

7

The receiver-general is not, under penalty of 200 l. to clear out any vessel having wine on board, until the master, commander, or supercargo, has delivered to him a duplicate of the manifest, which the collector and comptroller are to attest, and which is to be filed in the receiver-general's office

8

Where goods seized as forfeited do not exceed, at one time, 100 l. in value, the matter is to be heard and determined by one judge of the grand court, or two justices of peace of the parish; who may summon persons in whose custody the goods were found, and must enquire into the cause of the seizure, condemn them (if legally forfeited), and issue warrants for the sale thereof. Their sentence is to be final

9

Seizures of vessels or boats, not more than fifteen tons, or of cargoes therein of no greater value than 50 l. are to be proceeded on in like manner

10

To prevent vexatious claims, where the value of the goods exceeds 100 l. every person, on entry of a claim in the court where the goods are prosecuted, must give security, in the penalty of 100 l. to pay the costs occasioned by such claim. If security be not given in due time, goods are to be condemned

11

As casks of wine may not, from leakage or other causes, contain the quantities mentioned in cl. 2, the duties are to be finally adjusted by the receiver-general, according to the actual contents of the casks, or as they are ascertained by the collector of the customs of the port where entered

12

A writ of assistance is to be granted by any one magistrate, on application being made to him by any of the proper officers

29 Geo. III. xv. 1

Where a positive oath is made, by one credible witness, that smuggled goods are concealed in any house, store, &c. any one justice of peace must, on application as above, under penalty of 200 l. issue the writ of assistance, without requiring that the party having custody of the smuggled goods shall previously have had notice thereof; but such last-mentioned writ of assistance is to be executed in the day-time only. If the information prove to be false, the party injured is to recover his full damages, and costs out of purse, against the officer applying for the writ of assistance, by action of trespass

2

See ANNOTTA-BAY -- GRAVESEND -- KINGSTON -- MANIFESTS -- MARTHA-BRAE, harbour of -- PUBLIC hospital -- SUPREME court.



**Earthquake.**

**Q**UIT-RENTS due at Michaelmas, 1692, released on account of it  
2 Ann, vii. 7

See FASTS.

**Ecclesiastical laws.**

No ecclesiastical law or jurisdiction is to establish any penal mulct or punishment  
33 Car. II. xviii. 11

**Effrag.**

Marshals are to give receipts for all they seize  
8 Geo. III. v. 14

See DEFENDANTS.

**Examinations.**

Surveyors bills must not exceed 150 l.  
31 Geo. III. xxii. 12

On agreement of the parties, one surveyor is to be appointed, on motion to the court; but if parties do not agree, two surveyors are to be appointed by the court, one at the nomination of each party.  
15

On appointment, surveyor or surveyors are to make oath, that they will faithfully make the necessary traverses, and an impartial representation thereof in the diagram.  
16

Plaintiff's surveyor is to give ten days notice to defendant's, who is to attend at appointed time and place. Plaintiff's is to make the traverse, and both make field-notes, mutually communicating them to each other; when plaintiff's surveyor has finished, defendant's surveyor is to traverse lines claimed by defendant, giving notice, fixing place of meeting, and being attended by plaintiff's surveyor, as aforesaid, when both are to make and communicate field-notes, in like manner. If they act otherwise, they forfeit 100 l. and survey becomes null.  
17

If there be but one surveyor, the diagram is to be signed by him, and two copies thereof made and signed; if there be two, the diagram is to be made out by the plaintiff's surveyor, be taken from the field-notes mutually communicated as aforesaid, and be signed by the two surveyors. In both cases, the diagram must be delivered to the parties, by the sole or the plaintiff's surveyor, thirty days before trial.  
18

Surveyors bills, when taxed, are to be paid by the party against whom judgment is given, who discontinues, or is nonsuited; and, if a new trial be granted, by the party applying for it, the adverse party giving approved security to refund such sums, if verdict given for applicant.  
19

When a witness who is going off the island, no plea having been entered, is to be examined during a vacation, forty-eight hours notice must be given to tenant in possession, or his attorney  
32 Geo. III. xvii. 16

See MORTGAGES.

**Elections.** See ASSEMBLY, house of--CHURCHWARDENS and vestrymen.

Ellis,



**Ellis, John, of St. Catherine's.** See FREE-SCHOOL of St. Jago de la Vega.

**Ellis, John, of Westmorland.**

He having, by consent of the late lieutenant-governor, taken possession of the barrack and 100 acres of barrack-land near Great-River, in Westmorland, and expended much money in putting and keeping the barrack in repair, he is to have a grant of 92 acres of the land, on condition that he, his heirs, &c. keep the barrack in good repair for ever

5 Geo. III. vi.

**Embargo.** See INDEMNITY.

**Embezzlement of naval stores.**

Stat. 9 and 10 Will. III. cap. 41, entitled, "An act for the better preventing the embezzlement of his majesty's stores of war; and preventing cheats, frauds, and abuses, in paying seamens wages," is hereafter to be used and esteemed as a law in this island

32 Geo. III. xxviii.

**Embezzlement of records.** See RECORDS.

**Emblements.**

Judges of grand court, on sufficient cause shewn in open court, on affidavit (containing the names of the parties liable to emblements), are to issue a writ of enquiry (in form herein specified), returnable thereto, commanding provost-marshal to summon twenty-four neighbours, each possessed of a freehold of 10*l.* per ann. to meet on the premises; twelve of whom are to be chosen by ballot by the provost-marshal, and be sworn (in the presence of a justice of peace, warned and attending for the purpose), to enquire and determine the share and proportion for emblements of the crop, with the names of the parties liable thereto, and appraise the same, according to the best of their judgment

25 Geo. III. i. 1

Provost-marshal is not to execute the writ until he has given to the party against whom the writ issues, or their attorney, fourteen days notice, in writing signed by himself; and before he executes the writ, he must cause the service of a true copy of the notice to be proved, by affidavit in writing, before the justice attending. The affidavit and original notice are to be annexed to the return

2

On writ being filed, judges are to award amount of valuation to be paid within such time as they think reasonable, and to enforce payment by writ of execution, &c. from which no appeal is to be made, nor writ of error, &c. granted. Security may be given, in the same court writ of enquiry is returnable, to deliver produce in kind, in good condition, and without charge, at the usual barquadier, where it must be valued by three indifferent persons, one named by the court, and the other two by the respective parties. If the lands lie in several parishes, distinct writs are to issue for each parish, and be distinctly executed and returned: When the provost-marshal cannot attend in person, he may appoint a deputy, by warrant under his hand and seal; which warrant must be annexed to the return. The provost-marshal is to have the same fees



for the execution of these writs, as he is entitled to for the return of other in-  
quests into the grand court

3

No person is hereafter to enter on the lands of another for emblements, or have  
ingress, &c. for them

4

Emblements, whether the person under whom they are claimed die before  
crop begins or while it is taking off, are to be confined to that crop; but if  
the person die during its taking off, the jury are to take into consideration the  
expence of putting in plant-canes for the next year, and make a reasonable  
allowance to the claimants accordingly

5

If the tenant for life be off the island when he dies, or if the claimant of emble-  
ments be absent at the time of the death, so that no writ issues while the crop  
is on the ground, or during the taking it off, the claimant may issue the writ  
after it is taken off, and have the full benefit, on giving evidence to the jury,  
met on the premises, of the value thereof

6

Negroes, monies, &c. returned upon execution, &c. mentioned in cl. 3, are not  
to be affected by, or made applicable to, any prior writs against the person in  
remainder or reversion

7

If any magistrate or juror, having had four days notice, neglect or refuse to attend  
the execution of these writs, they are to be fined at discretion of grand court.  
Jurors are protected in their persons from all mesne and judicial process, while  
attending, going, and returning

8

**Enfranchised slaves.** See EVIDENCE--FREE people--MANUMISSIONS.

**Engrossing and forestalling.**

If any mulatto, Indian, or negro, go out of the towns, to meet persons bringing-  
in plantation provisions and other stock, and buy them up, to re-vend or en-  
gross, they are to be whipped at discretion of a magistrate, not exceeding  
thirty-one lashes

8 Geo. II. vi. 2

**Enrolments, office of.** See DEEDS--SECRETARY.

**Entry, forcible.** See FORCIBLE entry and detainer.

**Equity of redemption.** See ALIENS--MORTGAGES.

**Erase.** See RECORDS.

**Error in form.**

Judgments are not to be reversed on account of it, but, on motion, amend-  
ments to be made

33 Car. II. xxiii. 5

**Escheats.**

When writs of escheat are granted, provost-marshal is to cause a jury to meet on  
the premises, and enquire into the value of the estate; of which the governor,

when



- when judgment recorded, may pass a grant, with condition, that it shall be void if any legal heir appear within three years after date, or that the value of the escheated estate shall be paid into the treasury at the end of that time, if no heir in the mean time obtain it. The money so received by the treasurer is to be paid by him, to or for the person who shall prove himself to be heir, in preference to other payments, and may be recovered at any time. Proof of heirship to be by any public attestation credited by judges and jury 33 Car. II. xxii. 2
- Improvements (if any) made within the three years are to be paid for 4
- Money arising from escheats is to be applied solely to the support of the government of this island, and its contingent charges 1 Geo. II. i. 20
- Land to be escheated, after office found, must be cried out, in the last proprietor's name, three times every second Tuesday of the grand court, for three successive courts, before judgment pass; without which, patents, if granted, are to be void 6 Geo. II. vii. 5
- Jury must consist of persons who have a freehold of 10 l. *per ann.* at least, in the parish; and must value lands on oath. Grantee to be allowed a third of the valuation 6
- Before patents can be obtained for escheated lands, tenements, negroes, or hereditaments, receiver-general must take bonds, with two sufficient securities to each, payable in three years, for such sums as shall be due to the crown for properties escheated 31 Geo. II. xviii. 1
- On his granting certificates of such bonds being entered into, clerk of the patents is to issue out the patents; and any which are granted otherwise are to be void 2

### Estates.

See ALIENS--INHERITANCE--ISSUE of negroes--MORTGAGEES--POSSESSION--RECORDS--TITLES--WILLS.

### Estimate.

Of the royal revenue and its expenditure at the end of 1 Geo. II. i.

Estoppel, See GENERAL issue.

Exacts, See FINES, forfeitures, and amerciaments.

### Evidence.

- Records are to be good evidence, when originals lost, or witnesses dead, &c. 4 Geo. II. v. 2
- Free negroes, Indians, and mulattoes, may be evidence against one another; but not against such persons as are privileged 21 Geo. II. vii. 1
- The evidence of enfranchised persons is not to be accepted till they have been free six months 2
- If such free negroes, &c. give false testimony, they are to suffer the punishment for corrupt perjury 3
- Slaves are to be good evidence against maroons 22 Geo. III. iv. 5
- Slaves



Slaves are to be evidence against one another

xxiii. 48

Laws printed under direction of commissioners, hereby appointed, are to be evidence in all the courts

30 Geo. III. xx. 2 ; 32 Geo. III. xxix. 2

### Examination of witnesses.

Judges of grand court may, when they think it proper, grant commissions for examination of witnesses *de bene esse*, and cause such commissions to be directed to whom they think fit; which examinations are to be as valid as if the commissions had been directed to judges of the court

32 Geo. III. xvii. 14

Any one judge, during a vacation, may take the examination on oath of persons going off the island; previous to which, affidavit must be made (the plaintiff's action or declaration being then filed in the clerk of the court's office), that the person to be examined is a material witness on behalf of the applicant, plaintiff or defendant, and is expected to leave the island before the next court; whereon, he is to be served with notice, under hand and seal of the judge, to attend him at a particular time; at which time the opposite party, having forty-eight hours notice, is also to attend, if he choose, to cross-examine the witness. Such examination, proof being given at the trial that the person is dead or gone off, is to have full force and effect;

16

And if any person, served with due notice to appear and be examined, neglect or refuse to obey the notice, or, appearing, refuse to be examined, such person is to forfeit 100 l.

17

Persons convicted of false swearing, in any examination taken in either of the above cases, are to be punished as for corrupt perjury

18

See ORDINARY--EJECTMENTS.

**Exchequer, equity side of.** See REVENUE.

### Executors.

Executors, on proving wills, must swear to the value of the testator's testamentary estate, take the oath of an executor, and give security, approved by the ordinary, to return an inventory and appraisement. Examination and oath may be taken by virtue of a *dedimus* from the ordinary

10 Ann. xviii. 1

They must not plead the rule of executors partially, to the injury of any creditor of the testators or intestates

29 Geo. III. xiii. 3

See ASSIGNMENTS of bonds and of judgments--BAIL-BONDS--BREACHES of trust, &c.--COMMISSION--GENERAL issue--INVEIGLING slaves--LEVIES--MUTUAL debts--ORPHANS--PRIVILEGE of assembly--QUIT-RENTS--RENTS--SALE of slaves under venditioni exponas--SATISFACTION--SECURITIES for money--SLAVES--SPANISH-TOWN road--TITLES--WRITS of error.

**Exemplification of wills.** See WILLS.

**Exorbitant grants or devises.** See ISSUE of negroes.

**Expenditure.**



**Expectancy.**

Rights in expectancy are not to be infringed by means of persons taking the benefit of the insolvent act

28 Geo. III. viii. 10

See POSSESSION--PUBLIC *workhouses*.

**Expenditure.**

Estimate hereto annexed is to be deemed to contain the *items* to be charged on the revenue, and be accepted as part of this act

1 Geo. II. i. 18

**Extents.** See NULLA bona.

**Factorage commission.** See COMMISSION.

**Factors.**

**A**RE not to sell slaves to or for maroons, under penalty of 100 l. for each so sold

32 Geo. III. iv. 13

See BRITISH *creditors*--NEW *negroes*.

**False alarms.**

To avoid their being given, no gun is to be fired on ship-board at Port-Royal after sun-set, except to let watch in men of war

33 Car. II. xxi. 13

See ALARM.

**False entry.** See RECORDS.

**False marks.** See CATTLE.

**Farp.** See ASSES--HORSES--MULES.

**Fasts.**

Every seventh day of June (unless when it happen on Sunday, and then the day following) is to be observed as an anniversary day of fasting and humiliation, in commemoration of the earthquake on that day in 1692

5 Gul. & Mar. i. 1

Ministers are to give notice of the anniversary the Sunday before, and preach a suitable sermon on the day

2

No work is to be done, nor any shops, taverns, coffee-houses, &c. kept open, under penalty of 40 s.

3

Every twenty-eighth day of August (unless as above), is to be also observed as an anniversary fast, in commemoration of storms on that day in 1712 and 1722

9 Geo. I. i. 1

Ministers are to give notice, and preach, as for the 7th of June

2

No work is to be done, &c. under like penalty as above

3

**Freed**



## Fees.

Of judges, on acknowledgment of deeds and other writings	33 Car. II. xii. 5
For patents of naturalization	35 Car. II. iii. 2
For executing warrants on the water; in the precinct of Port-Royal	iv. 7
Of the clerk of patents, for writing an original patent	vi. 6
On confirmation of grants for lands, where quantity has been mistaken	2 Ann. vii. 3
On surrendering lands	11
Of the receiver-general, on registering purchases of land	14
Of the secretary, for his customary official business;	10 Ann. iv. 1
And for recording acts, and giving attested copies	3
Of the supreme court	4
Of the provost-marshal, and of the bailiff	8
No greater fees to be taken in grand court than are allowed in the petty courts, if verdict be not above 20 l. unless in trials for titles to land	9
Of the inferior courts	10
Of the marshals in inferior courts	13
Of the coroners	15
Of the justices of peace	16
Of the constable, for serving warrants	17
Of the clerk of the crown	18
Of the clerk of the peace	19
Of the great seal	20
Of the masters in chancery	21
For each oath taken before the governor or ordinary	22
Of the clerk of the chancery and patents	23
Of the attorney-general	25
Of the receiver-general	26
Of the naval officer	27
Of the collector	28
To be taken in the admiralty court	29
Of the clerk of the market	30
Of surveyors	31
Of the clerk of the warrants	32
Of the lawyers	33
If any greater fees be taken, penalties are to be inflicted on the offenders. Paro- chial officers may take such fees as appointed by justices and vestries	34
Clauses in former acts, relating to fees only, repealed	37
Not to be altered by judges of any court	38
Of surveyors, on writs of view	4 Geo. II. iv. 4
Of the provost-marshal, for executing process in the different parishes	8 Geo. II. v. 1, 2
Of the marshals, for certain business	3, 5, 10
Of pilots	9 Geo. II. xi. 6, 8
Of assay-masters	20 Geo. II. xvi. 3
For adjusting weights by the standard	23 Geo. II. vi. 3
On affidavits for writs or process of arrest	26 Geo. II. ii.
	For



For copies of tolls of slaves;	28 Geo. II. vii. 1
And on tolling slaves	2
Of the clerk of the supreme court, on suits in assize-courts;	31 Geo. II. iv. 23
Of him and the clerk of the crown, for entering dockets of judgments in those courts; and of the clerks of peace for searches and attested dockets	viii. 4
Of receiver-general, on taking escheat-bonds;	xviii. 1
And for search, receipt, and certificate, respecting lands informed against	9 Geo. III. ix. 2
Of attorney-general, for issuing a <i>fiat</i> on receiving such receipt and certificate; of the clerk of supreme court for issuing writ of enquiry thereon; of the judge for signing it;	3
And of clerk of court and provost-marshal, for addition to <i>venire facias</i>	5
Of the coroners	11 Geo. III. xv.
Of the clerks of courts, on entering satisfactions on records of judgments	xx. 3
To be paid by sworn measurers, on obtaining certificates	13 Geo. III. xii. 2
Of sworn measurers, for measuring and marking lumber	4
Of the clerk of the supreme court, for recording assignments of judgments, and for each search in the book thereof;	14 Geo. III. xxviii. 7
And for entering satisfactions	14
Of the naval officer, for registering wherries, boats, and canoes	15 Geo. III. xxiv. 2
Of the clerks of vestries, for entering freeholds in the register-books, and giving certificates thereof; for producing the books at elections of representatives; and for searches made	21 Geo. III. xv. 14
Of the provost-marshal, for entering satisfaction, which is to be paid when original writ of execution first lodged;	xxiii. 2
And for searches in the priority book	4
Of the secretary, on delivering deeds, &c. for which receipts have been lost	6
Of marshals, on levying for quit-rent bonds	24 Geo. III. xi. 8
Of the provost-marshal, on writs of emblements	25 Geo. III. i. 3
Of the masters in chancery	28 Geo. III. x.
Of the collector, comptroller, and naval officer, on certificates on which duties are paid	xv. 4
Of surveyors	31 Geo. III. xxii. 8, 9, 10
Of the governor's secretary	32 Geo. III. xiv. 1
Of the provost-marshal, for executing bench warrants, attorney-general's warrants, &c.	xvii. 3

*Fees to counsel. See CREDIT of the island.*

**Felon.**

To steal, or assist in stealing, any shallop, boat, wherry, canoe, or other vessel	35 Car. II. iv. 4
To pluck up, cut down, or destroy, any coffee or cocoa trees	9 Geo. II. v.
To run away with or carry off, or attempt to run away with or carry off, any other persons white servant, or slave, if taken in the attempt	ix. 6
To steal, alter, or destroy, any bond, note, or bill of exchange, or to erase or alter an indorsement thereon	14 Geo. III. xxviii. 18



- To destroy any part of the Spanish-Town bridge 15 Geo. III. xxii. 5  
 To damage the ferry at Black-River, or take away any of the ropes, cranes, &c. 16 Geo. III. xviii. 2  
 To kidnap Indians, with intent to sell them 17 Geo. III. xxviii. 2  
 To carry off a slave without the owner's or manager's consent 25 Geo. III. xvii. 3  
 To swear falsely in taking the benefit of the insolvent act 28 Geo. III. viii. 8  
 To steal, mark, or deface marks of, other persons slaves; 29 Geo. III. iii. 2  
 And to steal any slaves with intent to send them off 3  
 To steal horses, asses, mules, &c. or horned cattle; and to cut off, pare, or rasp, 31 Geo. III. xix. 1  
 cattles horns, if thrice convicted of such offence  
 To drive away or otherwise steal, or to assist others in so doing, any sheep, lamb, 2  
 goat, or kid  
 To sell or deliver to a slave any gunpowder, arms, or other ammunition, for the 32 Geo. III. x. 55  
 purpose of any conspiracy, rebellion, &c. xxiii. 12  
 To kill a slave wantonly or willingly xxx. 4  
 To injure the stone bridge to be built over the Rio Cobre  
 See ADMIRALTY, court of -- AMERICA -- ASSAY -- CATTLE -- CURRENT coin -- FIRE --  
 FORGERY -- HORSE-CATCHERS -- RECEIVERS of stolen goods.

**Fences.** See CATTLE -- DIVIDING fences -- PLANTATIONS.

**Ferry.** See BLACK-RIVER -- SPANISH-TOWN road.

**Figures.** See LOTTERIES.

**Findings of current gold coins.** See CURRENT coin.

**Filp.** See HORSE-STEALING, prevention of.

**Final judgment.** See WRITS of error.

**Fines, forfeitures, and amerciaments.**

Those arising in any court, unless remitted, are to be paid by the provost-marshal, or his deputy, to the receiver-general; and if any officer or other person who shall receive any fines, &c. neglect to pay them at or before the supreme court next ensuing their being adjudged in the inferior courts, they are to forfeit double the sum not paid in 8 Gul. III. i. 5  
 Marshals, clerk of the supreme court, clerks of crown and peace, and others making returns, are to swear that the estreats of fines, forfeitures, and amerciaments, are truly entered, made up, and examined; that all fines, issues, amerciaments, recognizances, and forfeitures, set, lost, imposed, or forfeited, are therein contained; and that in them are expressed all such as have been paid into court  
 Estreats of all fines, forfeitures, and amerciaments, not taken off, to be returned

by



by clerks of crown and peace to provost-marshal within a month after each court or sessions, under penalty of 20 l.

10 Ann. iv. 14

They are to be applied solely to the support of the government of this island, and its contingent charges

1 Geo. II. i. 20

Marshal, clerk of grand court, clerks of quarter-sessions and common pleas, in six months from passing this act, to transmit an account of such as are in their respective offices, for thirty years past, to receiver-general, and pay all monies received, under penalty of 100 l.

6 Geo. II. vii. 9

Marshal, &c. must, in future, in ten days after the respective courts, transmit an account of all of them to receiver-general

11

All fines, &c. to be paid to receiver-general, and no other person to receive them, or any other public money, under penalty of 500 l.

12

Above clause annulled, and fines, &c. to be paid as directed by 8 Gul. III. cap. i.

12 Geo. II. ix.

All fines, amerciaments, and recognizances, paid or to be paid, wherein the revenue is interested, and which are or shall be set, imposed, or forfeited, in the supreme court or courts of assize, and not taken off or remitted by the judges during the sitting of the same court, and not before estreated, must be truly estreated and certified by the clerk of the crown to the attorney-general and receiver-general, within twenty days after each supreme court following every court of assize (or time for holding such assize), by delivering to them, respectively, perfect schedules, on oath, of all monies paid or to be paid, on account thereof, with the names and additions of every person liable to the same

1 Geo. III. xlii. 1

Those set, &c. in the courts of common pleas and quarter-sessions to be delivered in like manner, in twenty days after each court or sessions, by the clerks thereof;

2

All which must be attested by the respective clerks

3

If no fines, &c. incurred, or if those incurred remitted, clerks are to certify it in the same manner and time

4

None of them are to be discharged or concealed by the clerks, unless by order of court; and if any be miscertified, the respective clerks are to be fined and incapacitated

5

Provost-marshal is to deliver to the attorney-general and receiver-general, the second Wednesday in every supreme court, a list of all fines and monies received by him, in which the revenue is interested, not before delivered to them

32 Geo. III. xvii. 6

See LIMITATION--PROVOST-MARSHAL--RECEIVER-GENERAL.

### Fire.

No person is to carry any fire, or smoke tobacco, in any savanna, plantation, or highway, under penalty of 10 s. for each offence, besides making good damages; which if they cannot do, they are to be whipped, at discretion of a justice of peace

33 Car. II. x. 7

When any fire shall break out in any town, two or three of the chief military or civil officers shall give directions for the pulling down or blowing up any house



or houses they think necessary for preventing its spreading further. If that stops it, or if it stops before it comes to them, then such house or houses shall be paid for by the rest of the inhabitants whose houses shall not be burnt; but if that house where the fire breaks out shall be ordered to be destroyed, no satisfaction shall be given

xvii. 2

Persons maliciously burning, or assisting or consenting to burn, any dwelling-house, out-house, mill-house, &c. belonging to a plantation; any store or wharf-house, or vessel having sugar or any merchandize on board; any cane-piece or plantain-walk, coffee or cocoa-trees, shall be adjudged felons, suffer death without benefit of clergy, and forfeit as in case of felony

9 Geo. II. v.

See KINGSTON--ST. JAGO de la Vega--SAVANNA-LA-MAR.

#### Fire-arms.

No gun, pistol, or other fire-arms, to be sold to slaves, under penalty of 50 l. and six months imprisonment

17 Geo. II. xvii. 3

See ARMS, accoutrements, and ammunition.

#### Fireworks.

No sort of them to be let off in Kingston, under penalty of 40 s. or, if slaves, of being whipped

8 Ann. viii. 5

If any white person make or fire off any sort of fireworks, in any town or parish of this island, they are to forfeit 10 l. or be whipped for each squib, &c. If any mulatto, Indian, or negro do so, constable is to take them before a magistrate, who is to order them to be whipped, not exceeding thirty-nine lashes.

If magistrates or constables neglect this duty, they forfeit 20 l.

6 Geo. II. xiii. 1

Those who encourage negroes, &c. to make or fire off fireworks, are to be punished as if they did it themselves.

2

#### Fish.

No person, by himself, servant, or slave, is to destroy fish in any harbour, bay, creek, or river, by poisoning or intoxication; nor set fish-pots in, or make wears or stops over, any river or creek, unless the adjoining lands belong to themselves; nor make use of any seine, net, or engine for catching fish, in any harbour or pond, &c. with less meshes than one inch and a quarter between knot and knot, except shrimp-nets,

10 Ann. xvi. 1

Under penalty of 40 s. and slaves to have thirty-nine lashes.

4

Fisheries. See IRREGULAR grants.

#### Fishing vessels.

Masters to give security but once a year

35 Car. II. i. 2

Flags of truce. See ARMS, accoutrements, and ammunition.

#### Flour.

Not to be sold by invoice, nor otherwise than by weight, under penalty of 40 s. for each barrel so sold

11 Geo. III. xii.

Foot.



**Foal.** See HORSE-STEALING, *prevention of.*

**Foot militia.** See MILITIA.

**Forcible entry and detainer.**

Forcible entries and detainers having been made on lands, plantations, pens, and buildings, under colour of some claim thereon, and justices of peace, when applied to, to procure restitution, having been impeded by writs of *certiorari*, it is ordained, that, when any such writ is issued before the justices have finally completed all proceedings relative to any forcible entry and detainer, or forcible detainer, they shall, notwithstanding the writ (unless it be granted during the sitting of the grand court, and made immediately returnable), proceed on the complaint, finish proceedings, and restore the ousted party to possession, if entitled to it; after which, they are to return proceedings as required by the writ

14 Geo. III. xvii. 1

Proceedings in these cases are not to be quashed for want of form, if facts proved

2

If any person aggrieved bring an action after restitution, for damages sustained by means of the unjust force or detention, either in lands, tenements, produce, slaves, flock, household goods, furniture, or plantation utensils, and recover damages, judges may award double the damages assessed by jury, besides costs of suit

3

Proceedings are not to be delayed by martial law being in force

31 Geo. III. ii. 3

**Foreclosure of mortgages.** See ALIENS--MORTGAGES.

**Foreign attachment.** See ATTACHMENTS.

**Foreign bills of exchange.** See BILLS of exchange.

**Foreign enemies.** See SEA-COASTS.

**Foreigners.** See ALIENS.

**Foreign gold coins.** See CURRENT coin.

**Foreign markets.** See SUGARS.

**Foreign produce.**

No sugars, rum, or molasses, the growth of any French, Spanish, Dutch, or Danish colony, are to be imported, or taken on board with intent to be imported as merchandize, under penalty of forfeiture thereof, together with that of the boat, canoe, sloop, ship, or other vessel, and her furniture, tackle, guns, &c. as well as 500*l.* by the master of the vessel, and the same sum by the owner of the produce

29 Geo. II. iv. 1

Officers of vessels of war, as well as the usual officers, may seize such produce

2

If



If any dispute arise whether the sugars, &c. are of the growth of said colonies, and intended to be imported, the *onus probandi* is to lie on the owner or importer, and the claimer is to be reputed the owner or importer.

3

See CLEARANCES.

Foreign States. See AMERICA.

#### Foreign vessels.

Masters of French, Dutch, and other foreign vessels, that come to this island, on pretence of being drove in by stress of weather, want of provisions, or other disabilities, must, in twenty-four hours after coming, wait upon the governor, and make known, upon oath, the occasion of coming, their wants, and the particulars of their cargoes, under penalty of forfeiting their vessels; and the governor is to order the naval officer, without delay, to supply them with necessaries, at the cheapest rates, for which the masters are to pay money, if they have any, or out of their cargoes.

12 Geo. I. xi. 1

But no more of their cargoes is to be sold than is requisite to supply them with necessaries (public notice being given of such sales), under penalty of forfeiting their vessels. Persons buying or bringing on shore the goods of such foreigners, to forfeit 500*l.* and the goods. Informers to have three fourths of the penal sum; and, if accomplices, to be likewise indemnified.

2

All foreign vessels to be subject to the same port-charges, visitations, rules, and orders, as English vessels.

3

To make use of a pilot between Kingston and Port-Royal, or pay the fee to the first pilot that offers.

9 Geo. II. xi. 8

#### Forfeited lands.

Lands of non-residents are to be forfeited by proclamation, if quit-rents not paid in a limited time.

2 Ann. vii. 9

Grants of lands forfeited under the above act declared valid, although proclamation were not made in the time therein limited.

6 Geo. II. vii. 3

If any person discover to the governor, attorney-general, or provost-marshal, any lands of absentees, for which quit-rents have not yet been paid, and actually pay them, as well as give security to settle the lands, by planting five acres yearly for three years, and keeping a sufficient number of white people, according to the deficiency act, such person shall be entitled to a grant of such lands, after judgment affirmed to the crown (which must be done, under penalty of 50*l.* on provost-marshal, in any two ensuing courts after information), on his paying 10*s.* for every hundred acres, with fees.

4

The several laws respecting the forfeiture of lands of absentees, for non-payment of quit-rents, having been found inconvenient, and many proprietors, really having assets here, having been deprived of their lands for want of due notice, no information for that purpose, at the relation of the attorney-general, is to be brought or filed, but in the manner herein directed.

9 Geo. III. ix. 1

Persons informing against such lands, and urging that the proprietors have no

assets



assets whereon to distrain, must, in the first place, pay to the receiver-general, in current coin only, all quit-rents due for the lands, give him bond for settling them in the manner directed by 6 Geo. II. cap. vii. cl. 4, and procure from him a receipt for the whole quit-rents, specifying the quantity of land, the money paid, and that it appeared to be in arrear; as well as a certificate, that he has searched the quit-rent books, and that it does not appear any quit-rents have been paid for those lands for twenty years past, and that the relator has given security for settling them; and, in the next place, produce the receipt and certificate to the attorney-general;

Who is then to issue a precept or *fiat* to the clerk of the supreme court, to prepare and issue one or more writ or writs of enquiry, as the case may demand, returnable at the next supreme court, or next court of assize, according as the lands are situate, and to be signed and countersigned as other writs are; which writs the said clerk, on receipt of the precept, is to make out, in form herein prescribed

Provost-marshal is to return the writ to the proper court, indorsed as here directed  
An addition is to be made to writs of *venire facias*, respecting these causes

The writs of enquiry are to be proclaimed, in the same manner as informations for lands forfeited under the quit-rent acts are, on the second Tuesday in the supreme court, and on the first Thursday of the court of assize, according as they are returnable; and afterwards, during the same court, a jury, returned as aforesaid, is to be impanelled, to enquire into the allegations, and judges receive all legal evidence. Verdict of the jury is to be indorsed on the writ;

Which is to be sent to the clerk of the court's office, where it is to be filed, and an abstract of it publicly exhibited

On filing return of the writ and inquisition, and producing them at the next supreme court, the attorney-general is to cause proclamation thereof to be made on the second Tuesday in such court, and also on the second day of each following court of assize, in the same manner as proclamations are made on writs of escheat

If, after proclamations made in two successive supreme and assize courts, no claimant or traverser appears, final judgment is to pass for the king on the second Tuesday of the next grand court; and, on producing a docket of such judgment, the relator is to have a patent granted him, which bars the former grantee, his heirs or assigns, but no other claimant

If cause contested, traverser may deny, &c. any points he is advised; but must give security to refund quit-rents to the relator, before his claim shall be filed

Evidence may be given, either before the jury on the writ or the jury on a traverse, to disprove sufficient assets

This act not to operate retrospectively, nor impede suits now depending

Lands, for which quit-rents have been at any time paid, not being, by the laws now in force, liable to forfeiture, it is hereby declared, that, from henceforth, the lands of absentees, for which no quit-rents shall be paid for twenty years, and the proprietors whereof have no effects here whereon distrainment may be made, shall be liable to forfeiture, although quit-rents have been formerly paid

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If



If relators, grantees, patentees, or their heirs or assigns, do not fulfil the condition of the obligation which they are, as directed by 6 Geo. II. *cap.* vii. and this act, to enter into, such neglect is to be deemed a forfeiture of their lands; and the attorney-general is to issue a *scire facias* to repeal the letters patent, and to seize the lands

14

**Forfeitures.** See FINES, *forfeitures*, and *amerciaments*.

**Forgery.**

Principals and accessaries in forging any deed, will, bond, writing obligatory, bill of exchange, promissory note, indorsement, assignment, acceptance, acquittance, or receipt, either for money or goods, with intention to defraud, and those who knowingly utter such forgeries as true, are to be deemed guilty of felony, and suffer death without benefit of clergy 15 Geo. II. iii. 1  
But their guilt not to work corruption of blood, loss of dower, or disherison of heirs 2

**Form.**

Of a writ of *venditioni exponas* 33 Car. II. xxiii. 13  
Of the secretary's bond xxiv. 2  
Of the receiver-general's bond, respecting permanent revenue 1 Geo. II. i. 16  
Of the memorandum to be made by judges, on attornies, agents, &c. swearing to profits of real estates under their management 13 Geo. II. ix. 3  
Of the writ for sale of lands, when *nulla bona* has been returned 24 Geo. II. xix. 4  
Of the commission for justices of assize 31 Geo. II. iv. 7  
Of the writ of enquiry, when lands of absentees are informed against for non-payment of quit-rents; 9 Geo. III. ix. 3  
Of the provost-marshal's return thereto; 4  
Of addition to be made to writs of *venire facias*; 5  
And of the abstract of informations to be exhibited in the office of the clerk of the supreme court 7  
Of assignments of bonds; 14 Geo. III. xxviii. 3  
And of assignments of judgments 6  
Of advertising king's slaves for sale 19 Geo. III. v. 2  
Of an acknowledgment and engagement to be given to marshal, when he has levied on slaves, &c. subject to prior incumbrances, and leaves them on the property where taken 23 Geo. III. xiv. 1  
Of the writ of enquiry for emblements 25 Geo. III. i. 1  
Of provost-marshal's assignment of a bail-bond ix. 1

**Fort-Augusta, Fort-Charles, Fort-Charlotte, and Fort-George.**

Excepted from the forts to which officers and gunners are not to be appointed

32 Geo. III. x. 4

**Fort-Charles.**

The captain must, under penalty of 500*l.* keep an account of all gunpowder he receives and expends, and produce it yearly to the governor, as also, when required,



required, to council and assembly, or committees appointed; which account he must attest before the governor

1 Geo. II. i. 7

### Fortifications.

They must not be entered by any foreigner, without special leave from the governor

12 Geo. I. xi. 3

See SEA-COASTS.

### Forts.

That at Lucea put upon the public establishment;  
And also that at Montego-Bay

27 Geo. III. iii. 2

32 Geo. III. xxxi. 1

See MILITIA.

### Forts and fortifications.

The sum of 1250*l.* arising from the revenue, to be yearly appropriated to the repairing, building, and rebuilding of them

1 Geo. II. i. 15

Receiver-general to charge that sum to the particular account of fortifications, and keep a distinct book for that account, which may be publicly inspected.

No part of the 1250*l.* to be paid without warrant from the governor, &c.

16

See DUTIES.

### Forts, fortifications, and public buildings.

See COMMISSIONERS of forts, fortifications, and public buildings.

### Frauds, prevention of.

See ASSIGNMENTS of bonds, and of judgments--BOARDS, plank, scantling, and ranging timber--BREACHES of trust, &c.--COOPERS--INVOICE--LIQUORS--RENTS--SECURITIES for money--SHINGLES--STAVES--TIMBER--WINES.

### Fraudulent conveyances.

If any vender or mortgager execute a second deed of sale of lands, tenements, negroes, or hereditaments, or a second deed of mortgage, without taking notice of the prior mortgage, he is to be punished according to the laws of England

4 Geo. II. v. 8

Freedom. See MANUMISSIONS--SUPREME court.

### Freeholders.

To elect representatives in assembly

33 Car. II. i.

To be summoned annually to elect churchwardens and vestrymen

xviii. 1; 22 Geo. II. xvi. 2

None, of known residence, to be arrested by any process out of any court, under penalty of 20*l.* to be paid by plaintiff to party arrested, and all proceedings to be void

33 Car. II. xxiii. 6

None to be deemed freeholders of known residence, who do not possess five acres

planted, or a house of the value of 10*l.* per ann. on his freehold

35 Car. II. vii. 12



Beneficed ministers declared freeholders:

21 Geo. II. vi. 3

Civil writs not to be executed on them on days of electing members of assembly,  
nor forty-eight hours after

22 Geo. II. xvi. 5

Their privilege from arrests not injured hereby:

26 Geo. II. ii.

To be warned by constables to attend at elections for representatives in assembly

21 Geo. III. xv. 2

After notice given of an election, no freeholder is to be sent on a party (unless  
there be an invasion, &c.) till election for the parish be over

6

To entitle them to vote for representatives in assembly, they must be possessed of  
a house worth 10*l.* a-year; or of a pen (with a house) of ten acres at least,  
which have been in pasturage twelve months, yielding 10*l.* yearly; or of a  
plantation (with buildings) having eight acres which have been kept as a plan-  
tation for twelve months, yielding 10*l.* a-year; and negroes of their own liable  
to be taxed for the same time; and each such freehold must have been re-  
corded, in the names of the voters or of those they claim under, in the office  
of enrolments twelve months, and in that of the clerk of the vestry three months,  
before the day of election; and have been liable to parochial taxes for twelve  
months. A rent-charge of 50*l.* *per ann.* is to be considered a freehold, and  
the holder may vote, if the lands or houses out of which it arises have been  
liable to public and parochial taxes for twelve months

7

Devisees, heirs, and husbands, are to vote as established freeholders, if the persons  
under whom they claim have been in actual possession of the freehold twelve  
months, and the titles have been recorded as above

8

On requisition, each freeholder is, in form herein specified, to attest his right of  
voting, and that no fraudulent grant has been made to him, in order to split  
or multiply votes. Taking the oath falsely is to be punished as wilful perjury

9

And those who are supposed not to be twenty-one years old, may be required to  
attest their age.

17

May inspect the registers of freeholds in parishes where they are freeholders, pay-  
ing 1*s.* 3*d.*

14

#### Freeholds.

Not to be passed away, unless deeds for that purpose are acknowledged or proved,  
and enrolled within three months after their date.

33 Car. II. xii. 1

Not to be adjudged in courts of common pleas

xxiii. 1

To be registered in every parish by the clerk of the vestry

21 Geo. III. xv. 14

If fraudulently conveyed, with a view to multiply votes at elections of repre-  
sentatives, they may be retained by the donee

15

#### Free people.

Negroes, Indians, and mulattoes, free either by birth or manumission, are to be  
evidence, in all courts, against one another (except against those who, by law,  
have the liberties of white persons);

21 Geo. II. vii. 1

But those who have been slaves must have been manumitted six months;

2

And if they swear falsely, they are to suffer as persons guilty of corrupt perjury

3

Descendants of Indians who have been brought here since 28th December, 1741,  
declared free

17 Geo. III. xxviii. 1

Free



- Free people are not to be taken off in any vessel, unless the commander has a certificate of their freedom from the custos or chief magistrate of the parish the vessel sails from 25 Geo. III. xvii. 1
- If any free negro, mulatto, or Indian, employ, aid, conceal, entice, entertain, or send off the island, any runaway or rebellious slave, each such free person is to forfeit their freedom, and be transported off the island, by order of any two judges of the supreme court, or of any three justices of peace 29 Geo. III. iii. 35
- Are not to beat or ill-treat maroons 32 Geo. III. iv. 18
- Maroon negroes may have the privileges of free people, by resigning their lands in the negro-town they belong to 26
- If manumitted people become indigent and helpless, they are to be supported in the workhouse of the parish where their former owners had resided xxiii. 16
- If free people suffer unlawful assemblies of slaves at their houses, they may be imprisoned six months 25
- If they give tickets to protect runaways, they are to be deemed guilty of forgery, and are to suffer loss of freedom, transportation, or such punishment as court thinks proper 37
- See ABETTORS--GAMING--HAWKERS and pedlars--MANUMISSIONS--PUBLIC work-houses--RECEIVERS of stolen goods.

### Free-school of St. Jago de la Vega.

- Peter Beckford having bequeathed 1000*l.* towards erecting a free-school or hospital in St. Catherine's parish, and John Ellis having devised 200*l.* for the same purpose, which sums are expended thereon; and Peter Beckford having also given 1000*l.* to the poor of the same parish, the application whereof to the free-school will be more advantageous to the poor than a distribution to individuals, as what has been already expended will otherwise be rendered useless, it is hereby appropriated to the use of the free-school 17 Geo. II. x. 1
- Members of the legislature, judges of the grand court, rector of the parish, &c. for the time being, appointed governors of the free-school, and incorporated by the name of "The governors of the free-school of St. Jago de la Vega." They are to have a common seal, which they may alter; and to hold in trust all sums of money, particularly the last-mentioned sum of 1000*l.* intended for the charity 2
- Five governors to form a court, and courts be always held at the free-school 3
- Land and building vested in the corporation. Governors to complete the building, for reception of the teachers, and education of as many children as can be instructed 4
- All poor children, those of St. Catherine's having the preference, allowed the benefit of the school, and to be instructed in reading, writing, grammar, arithmetic, and other mechanical and practical knowledge, without cost. Children to be chosen at general courts 5
- Governors empowered to put the monies to interest, or purchase lands, &c. with it. They are also to appoint masters, officers, or servants, as well as regulate their salaries, and dismiss them; 6



General court to elect other governors; 7  
 And to make bye-laws for finishing the building, and regulating the affairs of the  
 free-school 8  
 Clause 7, of the above act, repealed 32 Geo. II. xvii.

**Free-schools.**

See MANNING'S--RUSEA'S--ST. ANDREW'S--TITCHFIELD--VERE--WOLMER'S.

**Freight.** See DRAGGERS--SUGARS.

**French colonies.** See FOREIGN produce.

**French gold coins.** See CURRENT coin.

**French wines.**

A duty of 5 *l.* per ton to be paid on importation 1 Geo. II. i.

**Fribolous suits.** See PERSONAL actions.

**Fuller, Stephen.**

Appointed agent for the island for three years 32 Geo. III. iii. 1

**Funds.** See COMMISSIONERS of public accounts.

**Furniture.** See RECEIVERS of stolen goods.

**Gaming.**

**T**HOSE who win money by false dice, or other deceit, to forfeit treble its  
 amount. Not more than 40 *s.* won by gaming or betting, to be recover-  
 able; and all securities, for above that sum won, to be void 33 Car. II. v. 3  
 No person, by himself or deputy, to keep any common gaming-house, for playing  
 at billiards, shovel-board, pharaoh, ace of hearts, passage, hazard, games with  
 cards, with any machine or device of chance (backgammon-tables, skittles,  
 nine-pins, and bowls excepted), under penalty of 10 *l.* 17 Geo. II. vii. 1  
 Frequenters of such houses, who are adventurers in those games, or bet on the  
 sides of the gamesters, are subject to the same penalty 2  
 No conviction or judgment removeable by *certiorari*, or other writ, into the su-  
 preme court, till judgment given by justices; nor no proceedings to be quashed  
 there for want of form 3  
 Penalty not being paid, nor distress found, delinquents to be sent to gaol for any  
 time not exceeding a month 4  
 Private houses, or other places where dissolute persons, overseers, tradesmen, ser-  
 vants, free and other negroes, mulattoes, and Indians meet, and the above-  
 mentioned games are played at, deemed common gaming-houses 5

Justices,



Justices, on information on oath, to search gaming-houses, and to imprison the keepers thereof, and the gamblers, till they find security for their good behaviour: 6

Justices neglecting this duty are to forfeit 20 l. 7

Prosecutions must be commenced within three months after offences 8

Persons who have clear estates of 100 l. per ann. or are worth 1000 l. after their debts paid, and who do not keep public houses, may allow games in their houses, except hazard or passage, so as no more than 20 l. is lost at a sitting.

But their being worth such property is subject to scrutiny of a magistrate 9

The above act being near expiring, it is hereby continued, and made perpetual;

20 Geo. II. ix. 1

And tavern-keepers and other retailers of liquors having, to evade it, kept billiard and shovel-board tables in out-houses, &c. and hired them to other persons, justices, on view or information, are, under penalty of 50 l. to issue warrants to constables to seize all such tables so kept; which are to be sold, three days notice being given, and proceeds go to the poor 2

Persons convicted, under said act, of keeping a gaming-house, or who keep or hire out billiard or shovel-board tables, declared incapable of having any licence for selling liquors. 3

#### Gaol-keepers. See GAOLS--MARSHALS--SLAVES.

#### Gaols.

Sufficient gaols to be built at Kingston and Savanna-la-Mar 32 Geo. II. iii. 1

Receiver-general to pay 1500 l. to justices and vestry of Kingston, and the same to justices and vestry of Westmorland, who are respectively appointed commissioners for building the gaols 2

Coroner's fees for holding inquests on persons found dead in either of the three county gaols, to be paid by the public 11 Geo. III. xv.

Justices and vestries, in parishes remote from the county-gaols, empowered to lay taxes for raising money to build or purchase a gaol or gaols. Where one is thought sufficient, 500 l. is to be raised; where two necessary, 1000 l. The gaols are to be vested in the justices and vestrymen; who are, for the purposes of this act only, incorporated 14 Geo. III. vi. 1

Clerk of the vestry of each such parish is to make out a roll of assessment, in twelve days after assessment is made, and deliver it to the collecting constable, who is to collect (or distrain for) the money, and pay it to the churchwardens, to be disbursed according to the directions of justices and vestry; 2

To whom churchwardens are to account for all they receive 3

Churchwardens are to take sufficient security from collecting constables, before rolls delivered to them, under penalty of 1000 l. for each neglect 4

The sums prescribed by the above act not proving sufficient, a further sum of 200 l. where one gaol is wanting, and 400 l. where two are required, allowed to be raised 16 Geo. III. xix.

The gaol for Cornwall, built under authority of 32 Geo. II. cap. iii. being in decay, justices and vestry of Westmorland declared trustees for selling the lands and



and materials, and to apply the money towards building a new one, on a more convenient spot of ground, in or near Savanna-la-Mar 19 Geo. III. xix. 1  
 Receiver-general to pay 1000 l. to justices and vestry of that parish, to be applied (in aid of monies arising as above) to building the new gaol 2  
 Slaves sent to gaols are to be kept constantly therein, under penalty of 50 l. 32 Geo. III. xxiii. 41

**Gates.** See DIVIDING fences.

**Geldings.** See HORSES--HORSE-STEALING, prevention of--SLAVES.

**General issue.**

Executors and administrators having hitherto (for the benefit of testators or intestates creditors) pleaded the general issue, such as *non est factum testatoris*, *non assumpsit testator*, or such other bars as the defunct, if living, might have pleaded, which practice has been found convenient; but as such pleas may be deemed an admission of assets, and, by bar and estoppel, charge them with amount of judgments, although no assets come to their hands, it is ordained, that those who have so pleaded shall not, in any action, or proceeding by *scire facias* or otherwise, be estopped or charged in consequence thereof; nor is such plea to be taken as conclusive evidence of admission of assets; but plaintiffs must produce other evidence to charge them with an actual receipt of assets, or any act of *devastavit* 16 Geo. III. xv. 1

In actions hereafter to be brought against executors or administrators, it is to be deemed a legal defence for them to plead such bars as their testators or intestates might, if living, have pleaded; and no such plea is to be allowed as an admission of assets in their hands 2

When the rule of executors is pleaded against some creditors, the general issue 15  
 cannot be pleaded to others 19 Geo. III. xiii. 3

See MUTUAL debts.

**George Paddor's plantation.** See CLARENDON.

**Gibraltar Point.** See BARRACKS.

**Ginger.**

A duty of 15 s. per cwt. to be paid on importation 1 Geo. II. i. 1  
 See BREACHES of trust, &c.--NEW-COMERS--PRODUCE.

**Glanders.** See ASSES--HORSES--MULES.

**Glebe lands.**

In parishes where there are any lying neglected, justices and vestry are, on application by the rector, to have them ascertained 14 Geo. III. xiii. 2

See ST. ANDREW'S--ST. GEORGE'S.

**Goats.**



**Goats.**

Their being suffered to feed on any person's land, but that of their owners, is to be deemed trespass, and their owners to pay damages and costs of suit 33 Car. II. x. 11  
Persons who drive away, or otherwise steal, any goat or kid, with intent to steal the whole carcass, or any part of it, or who assist others to commit such offence, are to be adjudged guilty of felony, and suffer such punishment as the court thinks proper 31 Geo. III. xix. 2

See SLAVES--TAME stock.

**Gold and silver wares.** See ASSAY--PLATE.

**Gold coins.** See CURRENT coin.

**Goods.**

See CLAIMANTS--DEFENDANTS--DUTIES--FOREIGN vessels--FORGERY--HAWKERS and pedlars--INVOICE--LOTTERIES--RECEIVERS of stolen goods.

**Government pen and mountain.**

Receiver-general directed to pay, out of the surplulage of all funds, the sum of 12,000*l.* to commissioners herein appointed, to be by them laid out in the purchase of a pen and pen-lands in St. Catherine's, as also a mountain-polinck, with negroes, cattle, and stock 32 Geo. II. i. 2

Commissioners empowered to agree for such properties; which are to be vested in the crown, for the use of the governors of this island, and, in absence of a governor, for that of the commissioners.

Interest of 8 *per cent.* to be allowed till purchases are fully paid for

All properties purchased or to be purchased, as above, are to be vested in the senior resident member of the council, the speaker of the assembly, and the chief justice, all for the time being, for the aforesaid purposes 32 Geo. III. ii. 1

General Williamson is to have the possession and profits of such properties while he continues in the government;

But this act is not to convey the enjoyment of them to any future lieutenant-governor; nor to enable general Williamson to hold them after the arrival of a governor

The present commander in chief, with the commissioners appointed in the above act, empowered to demise, on a make-good lease, the government mountain, with the properties thereto belonging, for three, five, or seven years, taking good security for the annual payment of the rents, for the sole benefit of the commander in chief for the time being; xxviii.

**Governor.**

His assent to any act of the present sessions, not to determine it 33 Car. II. viii. 5  
To call the assembly, if money wanting to reimburse sufferers by invasion, &c.

xxi. 8

Powers of commanders in chief not abridged by this act; 13; 32 Geo. III. iv. 31  
But



But they are not to send any persons off the island against their will, nor do any other act contrary to law

33 *Car. II* xxi. 14; 32 *Geo. III.* iv. 32

His hand necessary to tickets for persons to leave the island

35 *Car. II.* i. 3

May naturalize aliens

iii. 1

May re-grant surrendered lands

8 *Gul. III.* i. 4; 2 *Ann.* vii. 11

To be a director of the Bath of St. Thomas the Apostle

11 *Gul. III.* iii. 2

Fee for every oath taken before him

10 *Ann.* iv. 22

To order naval officer to supply masters of foreign vessels with necessaries

12 *Geo. I.* xi. 1

His leave must be obtained before any foreigner can visit a fortification

3

Empowered to appoint commissioners for assigning lands in Portland

1 *Geo. II.* xi. 7

May direct taxes to be raised in parishes on the sea-coasts, for erecting fortifications, &c.

xiii. 1

Discovery may be made to him of lands of absentees, forfeitable for non-payment of quit-rents

6 *Geo. II.* vii. 4

To be a governor of Wolmer's free-school

9 *Geo. II.* vi. 1

May appoint pilots;

10 *Geo. II.* iv. 1

And he may appoint negroes, on a deficiency of white pilots

4

To be a governor of the free-school of St. Jago de la Vega

17 *Geo. II.* x. 2

No gunpowder to be retailed without his license

xvii. 1

To appoint assay-masters;

20 *Geo. II.* xvi. 1

And supersede them at pleasure

8

To grant commissions to whom he thinks fit as justices of assize in Surrey and Cornwall;

31 *Geo. II.* iv. 7

To whom he may add others by patent of association

8

Any beneficed minister who is appointed his domestic chaplain, is not to be considered as a non-resident of his parish

11 *Geo. III.* xvi. 1

To be a director of the Jamaica Spa

16 *Geo. III.* xx. 2

His right of dissolving assemblies not restricted by this act

20 *Geo. III.* iii. 2

He may, by advice of three of the council, suspend any judge of grand court or justice of assize, sending to his majesty a true state of the cause of suspension, and delivering to the party, at the time of his suspension, a copy of the cause alledged, signed by himself

21 *Geo. III.* xxv. 2

To appoint a water-bailiff for the harbour of Gravesend,

23 *Geo. III.* viii. 20

And give orders on receiver-general for emission of duties received in that port

22

He is also to appoint one for the port of Kingston,

xxvi. 4

And give like orders;

8

Another for the port of Martha-Brae,

xxvii. 4

Giving similar orders;

5

And another for the harbour of Annotta-Bay

25 *Geo. III.* xvi. 4

To be a trustee of Titchfield free-school

26 *Geo. III.* vii. 1

On receiving an account from the speaker, of the death of any member of assembly during a recess, he is forthwith to order a new writ to be issued

30 *Geo. III.* i. 2

He may appoint judges at the races in the different counties

xii. 6

He may raise, or authorize field officers of the militia to raise, parties to suppress rebellions

31 *Geo. III.* i. 1

May



- May order drafts from militia to be sent out on parties, 6  
 And appoint persons to supply parties with provisions 19  
 He is to appoint courts-martial for offenders on parties 15  
 To direct, jointly with commissioners of forts, &c. the repairing and making additions to the forts and fortifications, barracks, and other public buildings x. 2  
 Authorized to prohibit, by proclamation, the exportation of naval or military stores during the time of war, unless proper certificates be produced xi. 2  
 Proceedings of the commissioners of correspondency to be laid before him when required 32 Geo. III. iii. 4  
 To grant general commissions to superintendants of maroons to hold courts iv. 3  
 He may have superintendants and negro officers tried by courts-martial, if neglectful or partial 4  
 May order general musters of the militia in their districts, whenever he thinks it absolutely necessary x. 19  
 To grant commissions to militia officers to hold general or regimental courts-martial 36  
 Is to be a member of all councils of war 45  
 May remove militia in time of martial law, as he sees occasion 49  
 He is to have two copies of the laws of this island, published, as herein directed, under the authority of commissioners xxix. 3  
 May have certain slaves taken from workhouses to be pioneers for light dragoons xxxv. 1  
*See FORTS and fortifications--GOVERNMENT pen and mountain--PUBLIC danger or invasion--REVENUE.*

**Governor's salary.** *See SALARY.*

**Governor's secretary.**

- Establishment of his fees 32 Geo. III. xiv. 1  
 He is to affix a table of the fees herein allowed in his office, under penalty of 100 l. 2  
 If he, or any person for him, take any greater fees, or other reward, such offender forfeits 500 l. and becomes incapacitated to bear said office 3  
 This act is to be in force till 16th December, 1794 4

**Grants.**

- Those for lotteries declared contrary to law 17 Geo. II. vii. 10  
*See FORFEITED lands--IRREGULAR grants--ISSUE of negroes--PATENTS--REGISTER in chancery and clerk of patents--SECRETARY--SURRENDER of lands--SURVEYORS.*

**Grants of public money.**

- 1,250 l. for the Bath of St. Thomas the Apostle 11 Gul. III. iii. 1  
 100 l. for relief of persons intending to settle at Port-Antonio 8 Geo. I. ii. 14  
 1,500 l. for purchasing lands for, and accommodating, new-comers 10 Geo. I. viii. 2  
 500 l. for buildings to be erected at Bath 4 Geo. II. ii. 2  
 250 l. for the navy-yard at Port-Royal 7 Geo. II. iv. 3  
 6,000 l. for public buildings at St. Jago de la Vega 17 Geo. II. ix. 5  
 1,000 l. towards building Kingston barrack 22 Geo. II. xix. 2  
 12,000 l. for purchase of government pen and mountain 32 Geo. II. i. 2  
 M 3,000 l.



- 3,000*l.* for building gaols at Kingston and Savanna-la-Mar. iii. 2  
 Half the expence of building the barrack at Gibraltar-Point. 1 *Geo.* III. xix. 7  
 2,500*l.* for purchase of admiral's pen 14 *Geo.* III. xi.  
 3,000*l.* for purchasing a spring of chalybeate water, in St. Andrew's, and 250  
 acres of land adjoining. 16 *Geo.* III. xx. 1  
 1,000*l.* towards building a new gaol at Savanna-la-Mar. 19 *Geo.* III. xix. 2  
 300 pistoles annually, for five years, for horse-races 30 *Geo.* III. xii. 6  
 1,200*l.* for buying the copy-right of James Jones in the laws of this island, and  
 towards having all acts in force printed correctly xx. 4  
 8,000*l.* granted by this year's poll-tax law, appropriated to erecting lord Rod-  
 ney's statue and additional public offices. xxi. 8  
 1,180*l.* more on account of printing the laws 32 *Geo.* III. xxix. 5.

See MANUMISSION.

### Graveland.

- In order to keep this port in repair, commanders of vessels trading north of the  
 tropic of Cancer, who arrive here, are to pay the following duties: For every  
 three-mast vessel, 15*s.*; for every brigantine, snow, or bilander, 10*s.*; and for  
 every sloop or schooner, 7*s.* 6*d.*: Those trading between the tropics, are to  
 pay half those sums. 23 *Geo.* III. viii. 17  
 If the receiver-general, or his deputy, clear out any vessel chargeable with the  
 above duties before they are paid, he forfeits 50*l.* for each offence; the water-  
 bailiff having first left with him a certificate from the commander, that the  
 duty of such water-bailiff has been performed in mooring the vessel. 18  
 Every commander is, in three days after mooring his vessel, on application made  
 by or for the water-bailiff, to sign such certificate, under penalty of 40*s.* 19  
 Governor is to appoint a water-bailiff, for the orderly government of the port and  
 harbour, and that all vessels may anchor and moor in a proper manner, with  
 such salary as he thinks fit, so as it do not exceed the money raised by this act 20  
 Water-bailiff must personally attend the duty, under penalty of 20*l.* for each  
 neglect, unless his sickness is attested. 21  
 Receiver-general, out of the monies hereby arising, is to pay orders given by the  
 governor for paying the water-bailiff's salary, and defraying other expences for  
 effecting the purposes of this act. Water-bailiff is to be sworn to act impar-  
 tially, and to execute the office according to the usage of Great-Britain. 22  
 If the water-bailiff, by ignorance or negligence, moor any vessel so that damage  
 occurs, he is liable to make compensation. No commissioner or wharfinger can  
 be appointed a water-bailiff. 23  
 The custos, representatives in assembly, churchwardens, and justices and vestrymen,  
 of the parish of St. Elizabeth for the time being, are to be commissioners for  
 carrying this act into execution. 25  
 Disputes about mooring vessels are to be settled by commissioners; whose direc-  
 tions water-bailiff is to follow, under penalty of 20*l.* for each offence 24  
 No ballast is to be thrown overboard in the harbour, but where water-bailiff di-  
 rects, under penalty of 50*l.* 26

See BLACK-RIVER.

Great



**Great-Britain.**

See ASSAY--CREDIT of the island--HORSES--NEAT cattle--PROBATES--SUGARS.

**Great-River.** See BARRACKS--ELLIS, John, of Westmorland.

**Green-Island Bay.**

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

See STANDARD weights.

**Greenwich hospital.**

It being necessary to have an hospital for the maimed, sick, and infirm sailors belonging to the navy, and Axtell's pen, in the parish of St. Andrew, being judged proper for the purpose, if claimants agree to sell it, money is to remain with the receiver-general till their respective rights (which are now contesting) are determined; but if they refuse, the lands are to be valued on oath by a jury, whose verdict is to be certified to the court of chancery, and be conclusive

13 Geo. II. xi. 1

On the purchase-money, or valuation, being lodged, the lands are to be vested in his majesty;

2

And receiver-general pay the money when the claims are settled

3

Interest to be paid annually while money remains in his hands

4

**Guanaboa.** See ST. JOHN'S.

**Guardians.**

See BREACHES of trust, &c.--COMMISSION--DIVIDING fences--INVEIGLING slaves--MINORS--ORPHANS--POSSESSION--QUIT-RENTS--SALE of slaves under venditioni exponas--SLAVES.

**Gunpowder.**

Receiver-general to provide it when wanted for the fort

1 Geo. II. i. 6

No person to retail less than twelve pounds, without a license from the governor; to obtain which, a certificate from justices and vestry must be had, and recorded, and 500*l.* security given. Before any is then sold, retailer must make oath before a justice of peace, that he will not suffer any to be sold to white persons, unless he know them to be housekeepers, without they have a certificate from a justice or commission officer; nor to any free mulatto, negro, or Indian, without a certificate from their captain; nor to a slave, upon any pretence whatsoever. There is to be only one retailer in each of the three towns. Fee for licenses to be 15*s.* Offenders to forfeit 50*l.* and suffer six months imprisonment

17 Geo. II. xvii. 1

If licensed persons sell any to slaves, they are, besides, to be deemed guilty of perjury

2

Retailers to keep all their powder, except two barrels at a time, in the magazine, and pay 2*s.* 6*d.* per barrel on taking it out

4

M 2

Price



- Price of gunpowder to be settled by justices and vestries; and if retailers take more they forfeit 40 s. for every offence 5
- Commanding officers, or captains of companies or troops, may sell two pounds to militia-men 6
- Those who sell any to slaves, for rebellious purposes, are to suffer death without benefit of clergy 32 Geo. III. x. 55

See PORT-ROYAL.

#### Gunpowder duty.

- Not to be paid by packet-boats 4 Ann. iv. 3
- See DUTIES--PORTS of entry and clearance.

#### Hackney coaches, chariots, and four-wheel chaises.

- ONE white man to be with each. Hire for such carriages 11 Ann. iii. 8
- Their owners to make oath, at each sessions, of the number they keep, and of the names of the white men. Those who do not keep such white men, or not make oath, are to forfeit 10 l. 9

Haldane, George. See SALARY.

Halfway-Cree. See SPANISH-TOWN road.

#### Hanover.

- Its establishment as a parish, and original boundaries 10 Geo. I. v. 1
- Adjustment for taxes collected and debts due, at the time it was divided from Westmorland 2
- Churchwardens and vestrymen to be elected on the third Tuesday in February 22 Geo. II. xvi. 2
- Toll and register books having been, in the late storm, very much damaged, they are to be transcribed; 21 Geo. III. xii. 1
- And the transcripts are to be deemed authentic records, when clerk of the peace has attested the copies being exact. His affidavit must be entered in each new book 2
- Horse-race to be run in this parish, on a course appointed by justices and vestries 30 Geo. III. xii. 6
- 50 l. added to the rector's stipend, which justices, churchwardens, and vestrymen are to raise and pay, xiii. 3
- Under penalty of 50 l. on each defaulter 4
- See BARRACKS--BENEFICED ministers--RUSEA'S free-school--WESTMORLAND and Hanover.

Harbour-master. See ANNOTTA-BAY--KINGSTON--MARTHA-BRAE, harbour of.

Harbours.



**Harbours.**

No ballast to be thrown overboard in any of them, under penalty of 20 *l.*

33 *Car. II. xvii. 4*

No wreck to be sunk in, or ballast thrown into, any road or harbour of the island, under penalty of 100 *l.* for each offence, besides removal; but justices in sessions may permit the sinking of wrecks for careening of vessels. Regulations for Kingston harbour not affected hereby

31 *Geo. II. xix. 7*

*See FISH--IRREGULAR grants--SHOAL-WATER.*

**Hawkers and pedlars.**

If any mulatto, Indian, or negro, hawk, or carry about to sell, any goods, wares, or merchandize, they are to be forfeited, and the hawker corporally punished; but they may carry provisions, having a ticket

8 *Geo. II. vi. 1*

Repeal of the act 30 *Geo. III. cap. iii.* allowing them to be licensed 32 *Geo. III. xiii. 1*

If any white person, mulatto, Indian, free negro, or slave, be found hawking goods or merchandize for sale, any person may take them before a justice of the parish, who is to require the assistance of another justice; and they, on proof of the offence, may order the goods to be publicly sold. Shopkeepers or traders, living in any of the towns, may send goods, &c. from house to house, so as it be not done with an intention to hawk or peddle

*See ENGROSSING and forestalling.*

**Hazard. See GAMING.****Heiress.**

Her estate not to be leased by her guardian for a longer term than till she shall complete the age of fourteen years

33 *Car. II. xii. 8*

*See ORPHANS.*

**Heirs at law.**

May recover escheated lands, if they prove their right within three years after a patent has been granted for them; and the value of such lands may be recovered by them at any time after, on proving their heirship by such testimony as judges and jury shall believe

33 *Car. II. xxii. 2*

Where valuable improvements are made during the three years, the heir, before entering into possession, shall pay patentee such charges as the chancellor thinks reasonable, with interest

4

*See FREEHOLDERS--ISSUE of negroes--QUIT-RENTS.*

**Hereditaments.**

*See COPARTNERCY--DEEDS--ESCHEATS--FRAUDULENT conveyances--MORTGAGES--POSSESSION--RENTS--WILLS.*

**High treason.**

To counterfeit the broad seal of this island

33 *Car. II. xvi.*

**Highways.**



**Highways.**

Surveyors thereof, upon any sudden or extraordinary occasions for repairing them, shall represent it to the justices; the major part of whom, with the surveyors, may lay a tax of money, labour, or other things, on the inhabitants, for immediate repairs

35 Car. II. vii. 9

If any person purposely lay, or cause to be laid, on any highway, or on any place within one hundred yards thereof, the carcass of any dead horse, mare, mule, ass, or horned beast, or wilfully convey to the highway any filth or other annoyance, such person is to forfeit 5 *l.* for each offence

29 Geo. III. xiv. 1

If a slave be detected in such offence, he may be apprehended, and secured in the nearest workhouse; and any justice of peace, on oath being made of the crime, is to issue his warrant to the overseer or supervisor of the workhouse, directing him to detain such slave till the master, &c. pay the sum of 5 *l.* with costs attending the complaint (not exceeding 10 *s.*), and workhouse fees

2

On written information being sent to the overseer of the workhouse in any town, of a dead carcass being found on the road leading into it, and within three miles thereof, the overseer is to take a sufficient number of the workhouse negroes to the place, and cause the carcass either to be burnt to ashes, or to be buried four feet, at least, under the surface of the earth, and at one hundred yards distance from the road, under penalty of 5 *l.*

3

Justices and vestries, with surveyors of the highways, in order to keep them in repair, are to proceed during martial law as at other times

31 Geo. III. ii. 5

The consolidated highway law has been repealed, in 33 Geo. III. since this abridgment was begun

xxi.

**Hogs.** See *TAME stock.*

**Hogheads of wine.**

To contain not less than 63 gallons

11 Geo. III. xi.

In payment of duties, previous to gauging, each is to be estimated to contain as above

28 Geo. III. xv. 2

**Hope barquadier.**

A beam, pair of scales, and set of standard weights, to be kept here

23 Geo. II. vi. 1

See *STANDARD weights.*

**Horned cattle.** See *CATTLE--NEAT cattle--POUNDS.*

**Horse-catchers.**

No person is to drive or ride in any savanna, as a common horse-catcher, after any horses or mares, without having given security, and obtained leave, under penalty of 20 *l.*

33 Car. II. x. 8

If any such common horse-catcher, or any person for him, sells or barter any horse or other cattle, without sufficient evidence of their being his lawful property, he forfeits 50 *l.*; and those who deal with them without vouchers, are to forfeit 20 *l.*

9  
If



If any such horse-catcher put any false burnt, ear, or other marks, or deface any old mark, it is to be deemed felony

10

**Horse-militia.**

Are to take rank of infantry

32 Geo. III. x. 33

See MILITIA.

**Horses.**

Horses and mares belonging to a plantation, brick or pot work, are not to be taken in execution where goods can be got

33 Car. II. xxiii. 10

If, in want of goods, they must be levied on, they must be left with the owner, to be sold on *venditioni exponas*;

13

And not then be taken, if cattle in a pen is shewn to the marshal

14

No stoned horses under fourteen hands and a half high are to be put to pasture, or suffered to run at large, on commons, savannas, or waste grounds, under pain of forfeiture

30 Geo. III. xii. 1

Any person who finds a stoned horse at large on commons, &c. may take it before a justice of peace, to have it measured in his presence; and if it be found undersized, it is to be forfeited to the finder (he making oath to the time and place of taking it up), unless the owner tender to him 10 l.; in which case the horse (being first castrated at the expence of the owner) is to be restored

2

Any person who suffers either horse, mare, or gelding, infected with scab, mange, or farcy, to run at large on commons, &c. is to forfeit 50 l. for each offence;

3

And those who knowingly put any horse, &c. thereon, having the glanders, are to forfeit 200 l. for each offence

4

Such beasts are, by order of a magistrate, to be destroyed

5

A public purse of one hundred pistoles is to be run for once a-year in each county, by stoned horses, or by mares, imported into this island, measuring fifteen hands, and by creole horses, mares, or geldings, measuring fourteen hands, and being the get of an English stallion. No horse, &c. is to win two purses, unless in the same year. Governor may appoint judges for the several races; if he do not, they are to be elected by persons entering courfers

6

No plate, match, prize, &c. is to be run for, by any horse, mare, or gelding, unless it be of the full value of 50 l. under penalty of 200 l. nor, under like penalty, is any private purse to be run for but on Kingston or Spanish-Town course, or at St. Ann's Bay, St. Jago Savanna in Clarendon, and Hayes Savanna in Vere

7

This act to continue in force till December, 1794

11

See CATTLE--HORSE-CATCHERS--HUNTING--POUNDS--SLAVES.

**Horse-stealing, prevention of.**

Persons who steal a horse, gelding, mare, foal, colt, filly, ass, or mule, with intent to steal the whole carcass, or any part of it, are to suffer death without benefit of clergy.

31 Geo. III. xix. 1

See SLAVES.

Hospitals



**Hospitals for the navy.** See GREENWICH hospital--PORT-ROYAL hospital.

**Household furniture.**

See FORCIBLE entry and detainer--RECEIVERS of stolen goods.

**Houses.**

See ALIENS--FIRE--FORCIBLE entry and detainer--LOTTERIES--PATENTS--POSSESSION--TITLES.

**Houses of correction.**

To be built in those parishes where majority of justices and vestry think them necessary

35 Car. II. xi. 1

**Hucksters shops.** See STILLIARDS.

**Hunting.**

None but possessors of known pens of cattle (their servants or slaves) are to hunt, take up, or kill, any cattle, horses, mares, mules, or asses, in any lands whatsoever; nor are such possessors, &c. to hunt with any instrument of death, till they have obtained a license, and given forty-eight hours notice at all the adjoining settlements

22 Geo. II. xxii. 1

Neighbours may send a white person in company with hunters. Persons killing neat cattle by hunting are to give notice thereof at the adjoining settlements

2

No persons are to hunt above ten miles distant from their own pens. Offenders in either case are to forfeit 100 l. This act is not to hinder penning cattle in the usual mode, if no instruments of death be carried; nor to prevent persons, hunting cattle on their own lands, from killing them, giving notice as above

3

See DOGS--SLAVES.

**Husband and wife.** See CONVEYANCES--DOWER--TITLES.

**Husbands.** See FREEHOLDERS.

**Importers.**



**Importers.**

See **BOARDS**, plank, scantling, and ranging timber—**DUTIES**—**SHINGLES**—**STAVES**.

**Impost** for raising a permanent revenue. See **DUTIES**.

**Impotent persons.** See **POOR**.

**Improvements on escheated lands.** See **HEIRS at law**.

**Increase of slaves.**

**W**HEN proof made to justices and vestry, at annual givings-in, of a natural increase of slaves on any settlement, overseer thereof is to be paid 3 *l.* for each infant born and living, after deducting decrease, which is to be allowed out of the proprietor's public taxes; 32 *Geo. III. xxiii.* 35  
And no poll-tax is to be paid for any female slave that has six children living 36

**Incumbents.** See **BENEFICED ministers**.

**Incumbrances.** See **SURRENDER of lands**.

**Indebted persons.**

In order to prevent their departing the island in time of martial law, any creditor may (on oath being made by himself or some person for him, before a judge or commissioner of the supreme court, that, according to the best of their information or belief, the indebted person intends to depart) sue out writs of arrest, or other process in law or equity, to detain them, until they either pay or give security; which writ or other process may be signed and executed as if martial law were not in force 31 *Geo. III. ii.* 1

**Indemnity.**

For judges, &c. who have proceeded on laws deemed precarious; 33 *Car. II. vi.* 2  
And for those who have proceeded against offenders on the seas 33 *Car. II. viii.* 2

The governor having lately laid an embargo on vessels in the ports of this island, all personal actions, indictments, &c. occasioned by obedience to the proclamations issued for that purpose, are hereby annulled; and if any be hereafter brought, defendant may plead the general issue, and may recover double costs

31 *Geo. III. xi.* 1

**Indented servants.**

No commander of any vessel, or other person, is to secrete, or attempt to carry off, any white person, lately indented, without a discharge from the last employer, as well as a certificate from a justice of the peace, under penalty of 200 *l.* The master or mistress, or the person so found on board, is to be allowed good evidence;

9 *Geo. II. ix.* 1

N

Nor



Nor is any one to hide, hire, conceal, employ, or entertain, any such persons,  
without a discharge certified by a magistrate, under penalty of 20 *l.*  
Those so concealed, &c. may be admitted as evidence

2

3

**Indians.**

Not to officiate or be employed in public offices 10 *Ann.* iv. 35.  
Several traders having taken Indians from their settlements, and sold them here  
for slaves, all Indians arriving, or brought for sale hereafter, declared free;  
and, if any shall be sold, buyers and sellers are to forfeit 50 *l.* each 14 *Geo.* II. vi. 1.  
Names of Indian slaves, now here, are to be registered in the secretary's office, or  
in vestry-books, in a limited time; in default whereof, they become free 2.  
All persons now possessed of Indian slaves may still dispose of them 3.  
Those brought here since December 28, 1741, and their descendants, declared  
free. If any such persons are bought or sold, each party is to forfeit 500 *l.*

17 *Geo.* III. xxviii. 1

Persons kidnapping or stealing them from their settlements, with intent to sell  
them, are to suffer death 2.

They must not be entrusted with the command of drogers 31 *Geo.* III. iii. 13.

If they suffer unlawful assemblies of slaves at their houses, they may be impri-  
soned six months 32 *Geo.* III. xxiii. 25.

If they give tickets to protect runaways, they are to be deemed guilty of forgery,  
and are to suffer loss of freedom, transportation, or such punishment as court  
thinks proper 37.

See ABETORS--CARRYING off slaves--FIREWORKS--FREE people--GAMING--HAWK-  
ERS and pedlars--PARTIES--SEA-COASTS.

**Indigo.**

To be weighed, if required, at public wharves, weight entered in a book, and  
receipt given 11 *Ann.* iii. 7.

A duty of 3 *d.* per *lb.* to be paid on importation 1 *Geo.* II. i. 1.

See BREACHES of trust, &c.--NEW-COMERS.

**Indorsement of writs.**

Every writ of execution and *venditioni exponas* must be indorsed by the plaintiff,  
or his assignee, or by the attorney of such plaintiff or assignee (whose power is  
recorded in the secretary's office), or by their executor or other legal represen-  
tative, or their attorney at law, by order in writing. If any person indorse a  
writ for more than is due, he forfeits, for every offence, 100 *l.* and, if an attor-  
ney at law does it, he is liable to be also incapacitated 24 *Geo.* II. xvi. 1.

**Indorsements.**

See ARRESTS--ASSIGNMENTS of bonds, and of judgments--FORGERY--SECURITIES  
for money.

Infants. See MINORS--ORPHANS.

Inferior



**Inferior courts.** See COURTS of common pleas.

**Informations.** See FORFEITED lands--LANDS--REVENUE.

**Inheritance.**

Not to be passed away, unless deeds for that purpose are acknowledged or proved,  
and enrolled within three months after their date 33 Car. II. xii. 1

Slaves are to descend as such, after payment of debts and legacies 8 Gul. III. ii. 40

Five years uninterrupted possession of lands, tenements, hereditaments, or slaves,  
to render them estate of inheritance, unless in cases of disability 10 Gul. III. i. 1

See INVEIGLING slaves--POSSESSION.

**Insane persons.**

Their rights to real properties not defeated by five years possession, if actions  
brought in three years after becoming *compos mentis* 10 Gul. III. i. 1

Such rights not defeated by seven years possession, if actions brought in five years  
after capable 10 Ann. xii. 1

They are not to be so defeated, if actions brought in three years 4 Geo. II. iv. 1

Cannot give good titles, though valuable consideration paid them 10 Ann. xii. 3

They may contest reputed boundaries, if suits brought within five years after they  
become capable 14 Geo. III. v. 2

They may bring actions to recover slaves that have been sold under *venditioni ex-*  
*ponas*, in five years after capability 23 Geo. III. xiii. 1

See LIMITATION--PUBLIC workhouses.

**Insolvent debtors.**

The keepers of all prisons in either of the counties are to make a perfect and  
alphabetical list (attested before a judge or commissioner of the grand court, or  
justice of assize, as the county may be) of the names of all persons who are in  
their actual custody, upon any process whatsoever, for debts, damages, costs,  
&c. and of the times when they were received in prison, with the names of the  
persons at whose suit they are detained; and deliver such lists to the judges or  
justices the first Wednesday in each court 28 Geo. III. viii. 2

All persons whose names are inserted in such lists may be for ever released from  
imprisonment by the following means, together with those set forth in *cl.* 14 :

Any judge of the supreme court, or justice of assize, on the petition of such  
prisoners, may require the keeper of the prison to bring the prisoners, with the  
documents for detainer, before the court; when the prisoners are, in open court,  
to subscribe and deliver in a schedule of their whole estate, real and personal  
(either in possession, reversion, remainder, or held in trust), the names of their  
debtors, the sums of money owing them, and the names of the witnesses who  
can prove such debts or contracts; they may also be examined *viva voce* upon  
oath, in open court; they must deliver up to the marshal all their real estate,  
slaves, cattle, and effects, in their possession, agreeable to the schedules delivered  
to the court, and they must (in form here specified) make oath, that their sche-



dulés contain just accounts of all their properties, debts, and effects, except cloathing, bedding, and working tools, not worth more than 10*l.*; that they have shewn no preference to any particular creditor during or for three months previous to confinement; that they have not conveyed away or concealed any property for their future advantage, or to defraud their creditors; and that they have not sent any of their slaves off the island

3

Where persons are imprisoned for debt under execution, or detained because they cannot pay gaol-fees, and have no effects belonging, or debts due to them, they may, in like manner, be discharged by the courts, taking a suitable oath, here set forth. No person is to have the benefit of this act more than once.

4

Gaol-fees, for those unable to pay them, are to be paid by the public

5

The future estate and effects of persons discharged under this act are to be liable to creditors; who may, at any time, sue out execution, extents, &c. against them, but not against their persons, apparel, &c.

6

If it appear that any such discharge was fraudulently obtained, it is to be void

7

If any persons, in taking the benefit of this act, perjure themselves, they are to be adjudged felons without benefit of clergy, and suffer accordingly

8

The court is to appoint one or more of the creditors to be assignees; who are to take possession of lands, slaves, &c. and sell them; to sue for debts, execute trusts, and divide proceeds, according to priority, among such creditors who, in a month after notice of a dividend is published in one of the Kingston papers, produce accounts of their demands in execution, or on judgment. If any balance remains, it is to be divided among such other creditors as prove their debts before a justice of peace; and surplus, if any, is to go to the prisoner

9

The estate, interest, or right, of any person expectant upon such prisoner, is not to be infringed or affected hereby; nor is this act to prevent any mortgage taking place upon the lands, slaves, &c. of the prisoner

10

Assignees may compound with debtors of insolvent; submit disputes to arbitration;

11

And set mutual debts one against another

12

Assignees may, on petition, be removed by supreme court, and new ones appointed, in whom estate is to be vested

13

All prisoners who petition to be discharged (as mentioned in *cl.* 3) must have been in actual custody, on execution or *venditioni*, for three months, or, if on arrest, three months after judgment; they must have given public notice, in one of the Kingston papers, for three weeks previous to the sitting of the court, of their name, occupation, and last place of abode, the prison where they are confined, their intention to take the benefit of this act, and mentioning such notice to be first, second, or third; and no prisoner so advertising (if a merchant, shopkeeper, or other person who usually keeps, or who actually has kept, books of account) is to be entitled to the benefit of this act, unless he do, three weeks previous to the sitting of the court, lodge such books of account, of all his transactions and dealings for twelve months past, in the hands of the marshal or keeper of the gaol, and mention, in the public notice, that he has so done, to the end that they may be inspected by any of the creditors

14

This act will expire on the 31<sup>st</sup> December, 1794

15

Persons



Persons who have been released under the above or any other insolvent act, and who afterwards become confined in execution for debts contracted subsequent to such discharge, may, on bringing proof that they have fully paid the debts for which they had been confined in execution, and from which they had been released, be entitled to the same benefit and relief as if they had never before taken the benefit of an insolvent act, and be released in the manner thereby directed 31 Geo. III. xxiii. 1

Persons once released, and again confined, as above mentioned, may also, after a confinement of two years, be entitled again to the benefit of the said act, notwithstanding they have not paid the debts on which they before took the benefit 2

Every creditor, at whose suit a debtor is taken in execution for a sum not exceeding 20 l. is to pay 10 s. every week for his subsistence; in failure whereof, the debtor is to be discharged at the next grand or assize court after neglect or refusal 3

**Insurrection.** See ALARM--LOSSES--PUBLIC danger or invasion.

### Interest.

Settled at 10 l. per cent.

33 Car. II. xix. 2

Reduced to 8 per cent.

12 Geo. II. iii. 1

No person, upon any contract, to take, directly or indirectly, above the rate of 6 l.

per cent. per ann. for loan of monies, wares, merchandizes, or other commodities: Bonds, contracts, and other securities given, where larger interest is agreed for, are to be utterly void; and all persons who, by means of corrupt bargains or artifices, shall take more, are to forfeit, for each offence, treble the value of the monies, wares, &c. so bargained for 24 Geo. II. xix. 1

An error in the above clause, as to the commencement of the act, rectified

25 Geo. II. xiv.

To be allowed on notes and orders after judgment, at the same rate they bore before it, till principal paid

14 Geo. III. xxviii. 13

At 5 per cent. on principal sum sued for, is to be allowed British creditors, from the first day of the court in which they obtain judgment

29 Geo. III. xiii. 1

See BRITISH creditors--BILLS of exchange.

### Intestates.

See ADMINISTRATORS--EXECUTORS--GENERAL issue--MUTUAL debts--SLAVES.

### Invasion.

If, upon an alarm or invasion, any person shall suffer by the enemy; or by drawing out the king's forces, either in servants, negroes, horses, cattle, or their labour, in expence of provision, by fire, or any other toils, the damages, on application and proof before the governor and council, are to be valued, and paid out of the public revenue. If money be wanting, the assembly is to be called, to raise it for such purposes

33 Car. II. xvi. 8

See PUBLIC danger or invasion.

### Inveigling.



**Inveigling slaves.**

Stealing, clandestinely sending off the island, marking, or defacing marks of, other persons slaves, made felony without benefit of clergy; 29 Geo. III. iii. 2

As well as stealing slaves with intent to send them off, which is not to work corruption of blood 3

Persons who conceal, inveigle, detain, knowingly harbour or employ, the slaves of others, are to forfeit a sum not exceeding 100 l. for each slave so inveigled, &c. and be committed to the common gaol, without bail or mainprize, for a time not exceeding six months, and until they pay the fine laid on them. This act is not to affect persons who get possession of slaves in a regular manner, either by inheritance or devise, or as executor, &c. or as a fair purchaser for valuable consideration 4

Persons who, under pretence of title, and without due course of law, take or detain slaves whom others have had in possession for six months, are to forfeit 100 l. for each slave taken or detained 5

Persons detaining leased or hired slaves beyond the time agreed on, and not delivering them up in fourteen days after demand made before one witness, are to be deemed offenders against this act, and suffer as inveiglers, unless, at expiration of the term, the slaves are run away; in which case, the oath of the lessee is to be taken, if he will also, on oath, undertake to deliver up the slaves whenever they come into his possession, and that he will use his endeavours to have them taken up 6

On complaint made, upon affidavit, to a judge of the grand court, or to any justice of peace, he is to issue his warrant to apprehend offenders, examine them, and commit them to prison, or admit them to bail, till trial; which must be in ten days 7

Magistrate is immediately to issue his warrant for summoning twenty-four freeholders to meet, at a certain time not exceeding ten days from the commitment or bailment, at the place where parochial business is transacted, to try the offenders; from which jury no person is to be exempt 8

Magistrate is also to issue a warrant to apprehend the inveigled slaves, that they may be produced at the trial 9

If witnesses refuse or neglect to attend, magistrates may fine them, not exceeding 50 l. and fine be distrained for. In want of distress, their persons are to be imprisoned till fine paid 10

Marshals are to produce such persons in their custody as may be deemed material for examination 11

All warrants or summonses are to be duly returned, under penalty of 50 l. Magistrates may, on good cause, adjourn from time to time, not exceeding ten days at each adjournment 12

One judge of the grand court, or any two justices of peace, may proceed to trial, and carry this act into execution: And when a complaint is made to one justice, he, under penalty of 50 l. must call in an associate; who, under like penalty, must associate and assist. Complaints must be made within twelve calendar months after offence, or are to be dismissed 13

Magistrates



- Magistrates may fine persons summoned as jurors, who do not appear, not exceeding 20*l*. 14
- Clerk of the peace is to attend the trial, and draw up the charge 15
- He is also to record in his office affidavits, &c. but not examinations 16
- Magistrates are to enquire into the charge, by the oaths of twelve freeholders. 17
- Owners or possessors of inveigled slaves are to be admitted as evidence, although they prosecute 18
- Evidence being finished, the jurors are not to depart till they return their inquest; After which, the magistrates are to pronounce sentence, and order delivery of the slaves. Such inquest is to be final, and bar any other charge for the same offence 19
- Proceedings are not to be removed till after judgment and commitment of the party or parties, nor be set aside for want of form 20
- The clerk of the peace is to have 20*s*. for each day's attendance on the trial, and 5*l*. for taking down and recording proceedings; and if he neglects his duty, he forfeits 100*l*. 21
- If defendant be acquitted, the accuser is forthwith to pay him the expences out of purse attending the trial, if magistrates so award; but such expences are not to exceed 50*l*. Accuser may be committed, and confined till such costs paid 22
- Penalties (except those laid on justices) are to be recovered by warrant from the magistrates who sat on the trial, by distress and sale, or by imprisonment of the offender till payment. The money is to be paid to the receiver-general in one month after it is levied (under penalty of forfeiting double the sum not paid in), deducting costs of trial, commission, &c. Fines laid on justices are to be recovered in grand court 23
- Prosecutor, if not examined as a witness, is to have half the penalties; if he be examined, the whole is to go to the government 24
- To render the trial more effectual, the names of the jurors being called over, the clerk of the peace is to transcribe each name on a separate piece of paper, fold them up, and put them in a box, from whence he is openly to draw a jury of twelve, in the nature of a ballot 25
- Martial law is not to interrupt proceedings; 26
- And all parties attending the trials are to be protected in their persons 27
- Persons maliciously prosecuted under colour of this act, are to have redress in the supreme court 28
- If free people employ, conceal, entice, or send off, any runaway or rebellious slave, they are to forfeit their freedom, and be transported 29
- If any person, committed by virtue of this act, escape, the marshal out of whose custody such person escapes is to forfeit 100*l*. and be liable to pay, to the party aggrieved, all such sums as the prisoner was condemned to pay 30
- This act is to be in force till 6th December, 1795. 31

#### Inventories.

To be kept of all books of records in the secretary's office, and delivered to successors in office. Copy thereof to be preserved in the office of the clerk of the supreme court

11 Geo. II. iv. 4.

To.



To be made of record-books and alphabets in the office of the register in chancery and clerk of the patents, and delivered to successors in the offices. Copy thereof to be sent to the secretary's office, on every change of officer 9 Geo. III. xvii. 4  
See EXECUTORS--ORDINARY.

### Invoice.

No goods, wares, or merchandizes, to be sold by invoice, which ought to be sold by weight, under penalty of forfeiture 9 Geo. I. vi. 4  
No butter, soap, candles, tallow, rice, flour, or biscuit, are to be sold by invoice 11 Geo. III. xii.

**Ireland.** See ASSAY--ATTORNIERS *at-law*--NEAT cattle--PROBATES.

### Irregular grants.

All irregular patents and grants, surreptitiously obtained, for fishery and shoal-water, in and about any harbours; water before several persons lands; royal mines; the parade in St. Jago de la Vega; and the fishery in and between Rio Cobre and the Salt River in St. Andrew's, declared null and void: And no grant is to be at any time valid, that shall be prejudicial to anchorage, navigation, or common fishery 35 Car. II. xii. 4

**Islands.** See WILD pigeons.

### Issue of negroes.

No lands, slaves, cattle, flock, money, or other real or personal estate, allowed to be given or granted, put in trust, or devised, by any white person, to or for any negro, mulatto, or other person, who is not their own issue born in wedlock, and who is the issue of a negro, and deemed a mulatto, but to the value specified in *cl. 7* of this act 2 Geo. III. viii. 1  
If real properties to a greater amount are given or bequeathed to them, the surplus is not to be taken possession of by or for them, but to go to the heir at law; and personal estate, so given or bequeathed, is to go to the use of such person as would have been entitled to it under the statute of distributions, had such donor or testator died intestate 2  
No gifts, grants, leases, devises, covenants, conditions, provisoes, or declarations, in whatever manner made or declared, with an intent to evade this act, are to be valid as to passing any estates, trusts, or advantages; but the estates, conditions, covenants, &c. are to go to the uses above mentioned 3  
In any suit in the courts of equity, instituted against a person claiming either as trustee or *cestui qui trusts*, under declarations of trust, &c. prohibited by this act, the defendant is not allowed to demur, but must put in an answer as to the discovery required 4  
Negroes and their descendants allowed to purchase realties, and have grants of them, if they exceed not 2000 *l.* in the whole 5  
Gifts by persons now absent from the island not affected hereby, if enrolled in a limited time 6

Negroes,



- Negroes, and those by law deemed mulattoes, may receive and take lands, slaves, cattle, &c. or other real or personal estate, to the value of 2000 *l.* in the whole for any one person 7
- Devises or bequests by absentees allowed to be effectual, if will recorded in a limited time 8
- This act not to affect gifts or grants already made and enrolled, nor devises already vested 9
- Persons privileged by acts of assembly, and their descendants, are not hereby restrained from receiving gifts 10
- Claimants of estates may sue for them, either in the supreme court, or in any court of equity 11

*Jack's Bay.* See BARRACKS.

#### Jamaica Spa.

- A SPRING of chalybeate water having been discovered in St. Andrew's parish, 3000 *l.* granted for the purchase thereof, with 250 acres of land adjoining 16 Geo. III. xx. 1
- Directors appointed, and incorporated by the name of "The directors of the Jamaica Spa;" in whom the spring and land are to be vested, for public use 2
- Directors invested with full corporate powers; 3
- And authorized to sell, conditionally, any part of the 250 acres of land (except twenty acres of it adjoining to the spring, which are to remain unalienable, for the use of the public, for ever), in lots not exceeding ten acres. If lands are neglected after being sold, they are to be deemed forfeited, and be re-vested in directors; 4
- Who are to have a common seal; 5
- May appoint such officers as they think requisite; and make ordinances for the regulation of the Spa 6
- The monies arising from grants of the lands are to be laid out in buildings, mending roads to the Spa, and supplying the poor with necessaries 7

*Jewellers.* See ASSAY.

*Jewels.* See LOTTERIES--RECEIVERS of stolen goods.

#### Jews.

Must not officiate or be employed in public offices 10 Ann. iv. 35

*Joint tenants.* See COPARTNERCY.

*Joist.* See MEASUREMENT of boards, plank, scantling, and ranging timber.

*Joseph White's gate.* See ST. ANN'S and St. Thomas in the Vale.



**Judgment creditors.** See *INSOLVENT debtors--SATISFACTION.*

**Judgments.**

- Confirmation of those given on laws deemed precarious; 33 Car. II. vi. 2  
 And of those formerly given against offenders on the seas viii. 2  
 Not to be reversed on account of error in form only xxiii. 5  
 Before they go by default, marshal must appear in open court, and swear to parties having been summoned fourteen days before the court 7  
 Those given in assize-courts are to stand good, unless cause shewn for new trial, &c. in one day 31 Geo. II. iv. 17  
 Fore and back alphabets of all obtained in grand or assize courts to be kept by clerk of supreme court 14 Geo. III. xxviii. 17  
 See ALPHABETS--ASSIGNMENTS of bonds, and of judgments--BAIL-BONDS--COURTS of assize--CREDIT of the island--GENERAL issue--LIMITATION--MARTIAL law--PERSONS leaving the island--RECORDS--REVENUE--SATISFACTION--WRITS of error.

**Jurors.**

- If only one appear in assize-courts upon the writ of *venire facias*, bystanders may be taken to serve as jurors 31 Geo. II. iv. 27  
 In giving verdicts on bonds partly paid, they are to set forth sums, and dates of the payments 14 Geo. III. xxviii. 14  
 No office whatever is to exempt persons from being jurors under the inveigling act 29 Geo. III. iii. 8  
 Those failing to attend such trials are to be fined, not exceeding 20 l. 14  
 Those sitting are not to depart till the inquest is returned 19  
 They are, on these trials, to be drawn by ballot 26  
 An exhibit list of all the inhabitants of each parish is to be made out yearly, and sent, with a duplicate thereof, to the chief justice, by the 25th March, in order that all qualified persons, not exempted by law, may be returned to serve on juries. The duplicates are to be sent to the provost-marshal, and the original lists, or duplicates thereof, be filed in the office of the clerk of the supreme court. The provost-marshal is to form his panels of jurors, to be returned at grand courts and courts of assize, on the above lists, and in such manner that the services on juries may be rendered as equal as may be 32 Geo. III. xvii. 8  
 Many inconveniences having arisen in the courts of quarter-sessions and common pleas, by persons being returned on the *venire* who were under age, indented servants, or otherwise unqualified, the quarterly givings-in are in future to distinguish who are minors or indented servants; and clerks of vestry, within twenty days after each quarterly giving-in, are to transmit a list of the names of the white people (except those of such minors or indented servants) to the provost-marshal, in order that effective jurors may be by him returned to the said courts 9  
 No person is to be exempted from service on juries, unless in such cases as the laws of Great-Britain authorize exemption, but the members of the privy-council, and persons who have executed the office of chief-justice 10  
 Those



Those summoned for quarter-sessions are to serve in slave-courts, under penalty of 5*l.* each. Justices must suspend execution of sentence of death on slaves, when requested by such jurors, except in cases of rebellion. xxiii. 49.  
See EMBLEMENTS--ESCHEATS--MAROONS--PROCESS--SLAVES--SPECIAL juries.

**Justices and vestrymen.**

Are to lay taxes for maintenance of ministers and poor, and for erecting and repairing churches, under penalty of 5*l.* each. 33 *Car.* II. xviii. 1  
They may enquire into, and levy for, arrears of former subscriptions and taxes; 4  
And they may lay taxes for erecting houses of correction in the different parishes, which they are to make orders for the government of 35 *Car.* II. xi. 1  
May augment allowance to ministers, to a certain amount; 5 *Ann.* I. 1  
But must not tax their parishes for any sum beyond it 2  
They may make a further assessment, if a minister happen to be presented after assessment for that year laid 3  
To appoint fees for parochial officers. 10 *Ann.* iv. 34  
Not to grant greater salaries to ministers than herein allowed; but they are to provide them with houses of a certain value 21 *Geo.* II. vi. 1  
Any justice or vestryman not appearing when duly summoned, is to forfeit 40*s.*  
Other penalties annulled; 22 *Geo.* II. xvi. 6  
And this not to be inflicted on justices when two attend, nor on vestrymen when six attend 7  
Powers vested in justices and vestrymen are to be exercised by two justices, or six vestrymen, in parishes where there are not both 8  
If they order stipend to be paid to any minister, who does not reside and officiate (unless on specified occasions); they forfeit 5*l.* each 11 *Geo.* III. xvi. 2  
They are to hire constables in the several parishes (except in Port-Royal, St. Catherine's, and Kingston) by the 31<sup>st</sup> of March in each year; appoint their salaries; 18 *Geo.* III. xvii. 1  
Supply vacancies when necessary; and remove those who misbehave 2  
To pay clerks of vestries for producing registers of freeholds at elections of representatives 21 *Geo.* III. xv. 14  
They are to tax persons who do not give-in, one sixth part more than they would have been charged if they had given-in 24 *Geo.* III. xi. 18  
They are to cause accounts of lands to be transcribed in a book, in two months after the day appointed for giving-in, and a copy thereof, attested by two justices; to be sent to receiver-general in one month more 29 *Geo.* III. xii. 6  
They are to tax, according to their knowledge or the best accounts they can get, persons who do not give-in 7  
They are to transmit bonds given by collecting constables of quit-rents to receiver-general 9  
Any justice or vestryman neglecting the duty herein prescribed, respecting the collection of quit-rents, or arrears thereof, is to forfeit 100*l.* 30 *Geo.* III. xiv. 4  
Are to proceed in the discharge of their several duties, as well when martial law is in force as at any other time. 31 *Geo.* III. ii. 5

Those



Those of each parish may establish a pound, for securing stray horses, horned cattle, &c. 32 Geo. III. v. 1

And lay taxes for that purpose 2

Justices (under penalty of 100*l.* each) and vestrymen (under penalty of 50*l.* each) are to provide with regimentals such militia-men in their parishes as swear they cannot afford to buy them x. 32

Are to be commissioners of public workhouses (in parishes where it shall be thought proper to erect them), and, together with the representatives in assembly and churchwardens, be incorporated, by the name of "The president, guardians, and governors, of the hospital and workhouse of the parish of, &c." xi. 3

They are annually, between the 1st January and 25th March, to cause an exhibit list to be made of all the inhabitants of their parish, freeholders and others (in which themselves are to be included), distinguishing the occupation, profession, and office, of each person; which they are to subscribe, together with a duplicate, and send both to the chief justice, for panels of jurors to be formed for grand and assize courts xvii. 3

Are to be a council of protection for slaves complaining of having been mutilated; xxiii. 10

And to lay taxes for support of disabled unowned slaves, and indigent freed people 16

*See ASSIZE of bread--VESTRIES.*

#### Justices in sessions.

May, with surveyors of highways, lay a tax for repair of highways, upon extraordinary occasions 35 Car. II. vii. 9

They are to appoint market-places for selling meat 5 Gul. & Mar. vi. 5

In those parishes where there are roads or harbours, they may permit wrecks to be sunk, in such places as they deem convenient, for careening vessels 31 Geo. II. xix. 7

They are to examine those who make application to be sworn as measurers of timber, and, if they find them qualified, swear them in, and grant them certificates 13 Geo. III. xii. 2

To appoint constables, where vestries neglect it 18 Geo. III. xvii. 2

*Justices of assize. See COURTS of assize.*

#### Justices of peace.

✓ To decide debts and differences not exceeding 40*s.* 33 Car. II. vi. 1

Any two of them are, in their respective parishes, to summon freeholders annually, to choose churchwardens and vestrymen; and, if election be not made, they may assess taxes for ministers, church, and poor, instead of them xviii. 1

✓ To issue warrants of attachment in cases not exceeding 40*s.* xxiii. 9

Establishment of their fees 10 Ann. iv. 16

✓ To direct punishment of white servants 9 Geo. II. ix. 7

✓ To decide finally in matters of debt, between masters and servants (overseers excepted), whatever the amount 8

✓ To search common gaming-houses, when information given, 17 Geo. II. vii. 6

Under penalty of 20*l.* 7

To



- To issue warrants to constables to seize and sell billiard and shovel-board tables, when they know or are informed thereof, under penalty of 50*l.* 20 *Geo. II. ix. 2*
- They are to issue warrants for summoning such freeholders as are qualified to vote for members of assembly, to meet on certain days herein specified, in order to elect churchwardens and vestrymen 22 *Geo. II. xvi. 2*
- Any two of them may exercise the full powers of justices and vestrymen, in parishes where there are no vestries 8
- In trials concerning sugars not freighted according to law, they are to adjudge each hoghead contained 14 *cwt.* each tierce 8 *cwt.* averdupoise, and of other packages according to their best judgment, on evidence 23 *Geo. II. v. 2*
- Their authority, either in their general quarter-sessions, or otherwise, not abridged by the establishment of assize-courts 31 *Geo. II. iv. 4*
- ✓ To proceed in cases of forcible entry and detainer, or forcible detainer, notwithstanding they receive writs of *certiorari*, unless it be during the sitting of grand court, and writs are returnable forthwith 14 *Geo. III. xvii. 1*
- ✓ Proceedings had before them in such cases are not to be quashed for want of form 2
- May break open and search places where it is suspected current coin is counterfeited or impaired, and commit offenders xviii. 3
- They may, if they think coins brought to them are base, order them to be cut, returning the pieces to the person who offered them in payment 9
- They are to forfeit 100*l.* for each refusal or neglect, contrary to the meaning of this act 24 *Geo. III. xi. 24*; 29 *Geo. III. xii. 16*; 30 *Geo. III. xiv. 4*
- They are to be fined by grand court if, having had four days notice, they do not attend execution of writs of emblements 25 *Geo. III. i. 8*
- ✓ Any two of them must, in their own parishes, grant a writ of assistance to officers of the customs, immediately on information being given on oath, under penalty of 200*l.* 28 *Geo. III. xv. 6*
- And may condemn vessels or cargoes when the tonnage or valuation does not exceed certain rates 9, 10
- ✓ Any two may proceed to trial under the inveigling act. When a complaint is made to one justice, he, under penalty of 50*l.* must call in an associate; who, under like penalty, must associate and assist 29 *Geo. III. iii. 13*
- Each justice who neglects or refuses to put this law in execution forfeits 20*l.* 32
- ✓ Must order negro-houses, complained of as belonging to slaves without tickets, to be destroyed, under penalty of 50*l.* 34
- ✓ Any three may order the disfranchisement and transportation of free people who employ, conceal, &c. runaway or rebellious slaves 35
- Any justice of peace of the island may administer oath or affirmation for givings-in for quit-rents xii. 3
- They are to sign quit-rent rolls for their own parishes, immediately when presented, under penalty of 50*l.* 8
- ✓ Are to order the detention of negroes sent by any person to workhouses for laying nuisances on the highways xiv. 2
- Any one of them must, under penalty of 200*l.* on application by a proper officer, grant a writ of assistance xv. 2
- They are to exert themselves for the recovery of quit-rents, and arrears, for lands



in other parishes, as much as for those in their own parishes, under penalties inflicted by 29 Geo. III. cap. xii.

30 Geo. III. xiv. 3

Those who refuse or neglect any of the various duties required of them by this act are to forfeit 50*l.* for each offence

31 Geo. III. i. 18

✓ During martial law they are to proceed in all criminal cases as at other times; ii. 2

✓ And also in cases of forcible entry and detainer 3

✓ Must hear complaints made by or against commanders of droppers, under penalty of 20*l.* iii. 3, 4, 11, 12

Directions for their proceeding when complaints are made against maroons;

32 Geo. III. iv. 5, 9

And when maroons resign their right to lands

25

Are to give a month's notice of sale of strays

v. 9

They are to order that, in the quarterly givings-in, minors and indented servants shall be specified

xvii. 9

See ASSEMBLY, house of--PROCESS--SLAVES.

#### Justices.

May be granted by the chancellor to any court of common pleas 33 Car. II. xxiii. 2

~~Kids.~~ See GOATS.

#### King's purse.

OF one hundred pistoles to be run for once a-year, for five years, in each county. 30 Geo. III. xii. 6

#### King's slaves.

The runaway slaves, vested in his majesty by 30 Geo. II. cap. x. having been found more burthensome than useful, such as can be collected together are to be sold by receiver-general; to whom commanding officers of forts, &c. and all other persons having possession of any, are to deliver them. Receiver-general is to give public notice of such sales in form herein specified: 19 Geo. III. v. 2. Proceeds are to go to the revenue 3

#### Kingston.

Constituted a parish. Boundaries thereof. Three representatives in assembly to be chosen for the town and parish 5 Gul. & Mar. iii. 1

Court of common pleas to be held there every two months, and quarter-sessions every three months 2; 4 Ann. iv. 1

Receiver-general, secretary, and naval officer, to keep their respective offices there, as they formerly did on Port-Royal, under penalty of 50*l.* each for every month they neglect 5 Gul. & Mar. iii. 3

Children of inhabitants entitled to the benefit of St. Andrew's free-school 7 Gul. III. i. 1

Justices and freeholders annually, when they first meet to lay their parish-tax, to elect two or more inhabitants to be waywardens; who are to warn the inhabitants to send negroes, with pick-axes, &c. to clean and repair the roads, streets, lanes, &c. and to carry away annoyances to such places as waywardens direct.

In cases of neglect, waywardens to forfeit 10*l.* inhabitants 40*s.* 8 Ann. viii. 1

No



No wrecks to be sunk, or ballast thrown into the harbour, under penalty of 100 l. besides removing them; but justices in sessions may give leave to sink wrecks for careening

4

Persons throwing any sort of fireworks within the town are to forfeit 40 s. for each; and if slaves do so, they are to be taken up by constables, who are to cause them to receive thirty-nine lashes. If constables neglect they forfeit 40 s.

5

Channel between Port-Royal and Kingston may be buoyed or staked out, at the charge of the parish of Kingston;

6

And if any person remove a buoy or stake, they forfeit 50 l.

7

A nightly watch or watches to be kept in the town; place, manner, and number, to be appointed by justices and vestry;

5 Geo. II. ii. 1

Who are to lay a tax, not exceeding 500 l. *per ann.* on the inhabitants and transient traders, for defraying the charge

2

Each constable is to take charge of the watch, in turn, as directed by the justices, and be allowed 5 s. for each night he shall so watch, from the churchwardens.

If any constable refuse to do his duty, as directed, he forfeits 10 l.

3

No cooper, or other person, making cask, to suffer fire to be made but in a bricked square, eight feet high, with a door to the westward, under penalty of 10 l. for every week's delay, and for every time a fire is made out of such square

4

Justices and vestry to raise 200 l. for digging three wells, and fixing pumps, for a supply of water in case of fire

5

All negro huts and hovels, in the front of the town, towards the sea, to be pulled down

6

If any persons erect huts or hovels in such situation, they forfeit 10 l. for each offence

7

No more than one retailer of gunpowder allowed in the town; 17 Geo. II. xvii. 1

And justices and vestry to settle the price of it

5

Justices and vestries may, if they think proper, lay a tax on houses, rented or not rented, that are inhabited, and on trade and negroes, for amending the streets and roads, with power of distress

20 Geo. II. x. 7

Churchwardens and vestrymen to be elected on the second Thursday in January.

Vestrymen need not be freeholders

22 Geo. II. xvi. 2

Commissioners appointed for building a barrack, who are to lay out or purchase land, and contract with workmen

xix. 1

1000 l. towards it to be paid by the public, and the parish to furnish the remainder

2

Clerk of the market to prove the weights used at public wharves, and by factors, merchants, and shop-keepers, every two months

23 Geo. II. vi. 4

Declared the county-town of the county of Surrey

31 Geo. II. iv. 1

Justices and vestry to begin, within three months, to build a barrack in this town;

1 Geo. III. xix. 1

Or they may purchase suitable houses for the purpose, getting them prepared within twelve months

8

Justices and vestry authorized to appoint a place or places for the sale of fresh fish;

10 Geo. III. xi. 1

To erect proper buildings, on ground which they are to allot or purchase for the purpose;

purpose;



- purpose; and to defray the expence by an equal tax on the inhabitants of the town, not exceeding 500 *l.* in the whole 2
- They are to appoint a proper person or persons to look after the market-house, and settle their salary, which is to be paid by the churchwardens 3
- Market to be open from eight o'clock till two 4
- No white or free person to sell fresh fish between those hours, in any other place in the town, under the penalty of 20 *s.* for each offence 5
- If slaves offer fresh fish for sale between those hours, in any other place, magistrates of the parish to award punishment, and the fish be forfeited to the poor 6
- Churchwardens made a body corporate, by the name of "The churchwardens of Kingston;" for the purpose of recovering parochial and transient taxes; 7
- For which, when recovered, they are to be responsible to the justices and vestry 8
- Justices and vestry empowered to hire scavengers, if they think proper, for any time thought necessary; and to lay a tax on houses, rented and not rented, that are inhabited, and on trade and negroes, for paying them; which tax is to be collected like the parish tax, and with the same power of distress 9
- Justices and vestry authorized to rent out the stalls in the beef-market; the rents for which are to be paid to the churchwardens, who may, if necessary sue for them 10
- If persons put any wood, lumber, or other thing, in the streets or avenues leading to the sea, so as to obstruct the passage, or keep their horses, chaises, carts, or other carriages, in the piazzas, they are to forfeit 5 *l.* for each offence 11
- Many inconveniences having arisen from the number of negro huts and houses in and about this town, on lots of land detached from the habitations of their owners, all owners of such lots must, in three months, deliver to the clerk of the vestry an account of the number and situation of such huts or houses, and of the slaves resident in each of them; and, for all which may hereafter be built, such account must be delivered within a month after they become habitable 11 Geo. III. iii. 1
- Every four of the huts or houses is to have but one door of entry; and where there are four or more belonging to the same owner, they are to be inclosed with a fence of brick, stone, boards, or palisadoes, seven feet high at least (which must be kept in good repair, and all other fences destroyed), and each inclosure have but one door of entry 2
- If persons neglect to give-in accounts, or to inclose, or if they suffer slaves not in their service to stay there, justices and vestry may cause such huts or houses to be pulled down 3
- Magistrates and vestrymen empowered to remove or sell the old court-house; to rent, purchase, or build, a new one; to keep it in repair; and to lay taxes for those purposes 17 Geo. III. xi.
- Housekeepers assessed at between 40 *l.* and 80 *l.* are to be always provided with two leather buckets, in good repair (with their names thereon), each to contain two gallons and a half, and, on every alarm of fire, to provide one able negro to carry the buckets, and assist in extinguishing it; those assessed at between 80 *l.* and 120 *l.* are to have four like buckets, and send two negroes; and those



those assessed at more than 120*l.* are to keep six such buckets, and send three negroes. Housekeepers are to forfeit 40*s.* for each bucket not provided, or not kept in repair 22 Geo. III. xix. 1

Justices and vestry are always to keep, in some known place, eight large fire-engines in good order, under penalty of 10*l.* each 2

They may appoint a captain to each engine; pay him a salary; and give rewards to negroes or others for extraordinary activity and attention in extinguishing fires 3

Captain of the first engine which arrives at a fire is to be paid 10*l.* and of the second 5*l.* by justices and vestry; 4

Who may, at their discretion, tax the inhabitants for all the above purposes, and likewise for sinking wells and fixing pumps, in convenient places 5

They are also annually to appoint ten inhabitants, two of whom to be justices of the peace, to be firewardens, who are to take and subscribe an oath, that they will discharge the office to the best of their ability 6

If any person appointed firewarden refuse to execute the office, or neglect to qualify in ten days after notice given him of being appointed, he is to forfeit 20*l.* 7

The firewardens are to have the absolute direction of extinguishing fires; are to command officers and soldiers of the military present at any fire; and each is to wear, as a mark of distinction, a silver plate on his breast, and have a white staff, purchased by the parish, and to be delivered to successors 8

All persons assisting to extinguish any such fire are to be exempt from all judicial process during their endeavours, and for twenty-four hours afterwards 9

On notice given of a fire having broke out, the firewardens, as well as constables and beadles, are immediately to repair to the place, with their staves and other badges of authority, where they are to assist in extinguishing it, cause negroes and others to work at the engines, prevent goods being stolen, apprehend thieves, and help inhabitants to remove their goods 10

Three of the firewardens are to examine into and superintend the working of the engines every month; and they are, once in three months, to examine the buckets throughout the town 11

Majority of the firewardens present at any fire may order the pulling down or blowing up of houses likely to stop it; for which the owner, if the fire is thereby stopped, or otherwise got under before it reach the place, is to receive satisfaction, by a parochial rate. But if the house where the fire begins is blown up, &c. no satisfaction is to be given 12

General issue may be pleaded, and treble costs recovered 13

If any persons who keep shops to retail rum or other spirituous liquors, sell such liquors before six in the morning, or after six in the evening, they are to forfeit 20*l.* 14

Two justices and six vestrymen, assembled in vestry, are, from time to time, to appoint the assize and weight of all sorts of bread to be sold in the parish, taking into consideration the market-price of meal and flour 15

Every person who makes bread for sale must have the initial capital letters of their name, or such other mark as justices and vestry appoint, marked on each loaf.



- If any persons expose bread to sale that is not marked, or that is deficient in weight, they are, on the oath of one credible witness, or on the view of a justice of peace of the parish, to forfeit 20 s. for each loaf not marked, 20 s. for every ounce wanting in a loaf, and 10 s. for each loaf wanting less than an ounce; the bread being weighed within forty-eight hours after baked or exposed to sale 16
- One justice and one vestryman, attended by a constable, are required, once a month, to go into places where bread is baked or sold, between six in the morning and nine in the evening, to weigh the loaves. They are to seize any that are deficient in weight, and send half to the parish-house, and half to the public hospital. Offenders are to forfeit 10 l. for each offence 17
- The sum heretofore allowed to be raised on inhabitants, for maintaining a nightly watch, being inadequate to the purpose, justices and vestry are annually to lay an equal tax on transient traders as well as inhabitants, for upholding it 18
- Each constable is to take charge of the watch in turn, as ordered by justices and vestry; who are to direct their salary. If any constable, so appointed, neglect or refuse to take charge of the watch, or to do the duty directed, he is to forfeit 5 l. for each neglect or refusal 19
- Regulations respecting the nightly watch are to be made by justices and vestry 20
- Justices and vestry are also yearly to tax transient traders, as equitably as possible, towards raising the parochial and other taxes, so as the taxation do not exceed, in the whole, 40 s. *per cent.* on their invoices 21
- If any persons expose to public sale, in any street or lane, putrid provisions of any kind, they are to forfeit 20 l. for each offence 22
- A justice of peace of the town, on view of putrid provisions being so exposed to sale, may cause them to be seized and destroyed 23
- In order to keep the harbour in repair, and to regulate the mooring of vessels, all commanders trading northward of the tropic of Cancer, who arrive here, are to pay the receiver-general the following duties: For every three-mast vessel, 15 s.; for every brigantine, snow, or bilander, 10 s.; and for every sloop or schooner, 7 s. 6 d.: Those trading between the tropics are to pay half those sums; and masters of coasting vessels are to pay 2 s. 6 d. every three months 23 Geo. III. xxvi. 1
- If the receiver-general clear out any vessel chargeable with the above duties before they are paid, he forfeits 50 l. for each offence; the water-bailiff having first left with him a certificate from the commander, that the duty of such water-bailiff has been performed in mooring the vessel 2
- Every commander is, in three days after mooring his vessel, on application made by or for the water-bailiff, to sign such certificate, under penalty of 40 s. 3
- Governor is to appoint a water-bailiff, for the orderly government of the port, and that all vessels may anchor and moor in a proper manner, with such salary as he thinks fit, so as it do not exceed the money raised by this act 4
- A breach having been made in the palisadoes, by taking ballast, no stones, sand, &c. are to be taken up within 200 yards thereof, on either side, 5
- Under penalty of 10 l. to be recovered before two justices of peace for Kingston and Port-Royal, on oath of one witness 6



Water-bailiff is to take up slaves found collecting ballast within that distance; who may be imprisoned three months, unless owners pay 5 l. for each

7

Receiver-general, out of the monies hereby arising, is to pay orders given by the governor, for paying the water-bailiff's salary, and defraying other expences for effecting the purposes of this act. Water-bailiff is to be sworn to act impartially, and to execute the office according to the usage of Great-Britain

8

No vessel is to be moored to swing nearer to a wharf than fifty fathoms, nor have a stern-fast, unless to unload or load, off a wharf, under penalty of 10 l. on the master

9

From the 1st of August to the last of November, no vessel is to swing nearer to a wharf than one hundred fathoms, unless to load or unload, under the same penalty

10

The time allowed for unloading or loading vessels is, Those not exceeding 150 tons, four working days from the time of coming to the wharf; those from 150 to 200, six; those from 200 to 300, eight; and those above 300 tons, twelve working days

11

If the water-bailiff, by ignorance or negligence, moor any vessel so that damage occurs, he is liable to make compensation. No commissioner or wharfinger can be appointed a water-bailiff

12

The justices and vestrymen, or any three of them, one whereof to be a justice, are to be commissioners to carry this act into execution

14

Disputes about mooring vessels are to be settled by the commissioners; whose directions water-bailiff is to follow, under penalty of 20 l. for each offence

13

No ballast is to be thrown overboard, into the harbour, under penalty of 10 l. for each offence

15

The harbour-master is to take charge of any vessel that happens to be set on fire, to stop its progress; and if any person obstruct him therein, they are to forfeit 500 l.

16

The nightly watch is hereafter to be called "The town-guard of Kingston;" and the justices and vestry are yearly, or as often as they think necessary, to order and establish such number of watchmen, constables, and other officers, as they judge necessary, to be employed in the streets, &c. and they are to appoint, in writing, how they shall be stationed, in what manner they shall be armed, what wages shall be allowed, and make all such regulations as the service requires

25 Geo. III. xiv. 1

Transcripts of all such orders, &c. are to be signed by justices and vestry. Guard are to obey those orders, and are to use their best endeavours to prevent mischiefs arising by fires, murders, burglaries, robberies, tumultuous assemblies of slaves, &c. for which purpose they are vested with powers of caption and detention, till a hearing before a magistrate. The watchmen, constables, or other officers, are, so often in every night as justices and vestry order, to go their respective rounds, to see whether the watchmen perform their duty; and if any watchmen are found negligent, they are to be suspended by the chief constable, until justices and vestry examine into the offence; who may fine delinquents 20 s. or discharge them

2



If any constable or officer neglect, in his turn, to keep watch, or otherwise misbehave himself, he is to forfeit, for each offence, a sum not exceeding 5*l.* or be discharged, if justices, &c. think fit

3

Watchmen, in absence of constables, or other officers, may take up malefactors, suspected persons, slaves without tickets, &c. and confine them in the watch-house, till examined by a justice of peace

4

The above-mentioned penalties are to be recovered by distress; and if distress be not found, offenders are to be imprisoned, not exceeding seven days, nor less than forty-eight hours, unless penalties and charges sooner paid

5

Individuals of town-guard indemnified in all things they lawfully do for the protection of the town, in like manner as if they were constables or peace-officers

6

All persons arriving with merchandize for sale, and not being taxed in the parish rolls, are to be deemed transient traders, and are to be taxed every time they arrive, not exceeding 40*s.* *per cent.* on their invoices, whether their cargoes are disposed of by private or public sale. If invoices be not produced, the traders are to be assessed on the best information justices, &c. can obtain; but redress may be had for over-charges, if attested in form here specified. If transient traders, previous to entering the vessel and cargo at the custom-house, consign their cargoes to any inhabitant paying taxes, making oath thereof, and having their testimony corroborated by the oath of the consignee, the transient tax is to be remitted; but should any parties swear falsely, they are to be punished as for perjury

26 Geo. III. xiii. 1

Transient traders, refusing to pay the tax, are to have their goods levied on, or persons arrested

2

Rates of wharfage and storeage in this town, for sundry articles, regulated differently from those established for the whole island by 25 Geo. III. *cap.* v.

27 Geo. III. ii. 1, 2, 3.

Lists of these rates are to be kept constantly in view at the weigh-house, under penalty of 40*s.*

4

If larger rates are taken, offender is to forfeit 100*l.*

5

Offenders may be imprisoned till they pay penalties;

6

Which are to go to the informer.

7

Sundry properties having been bequeathed for the use of the poor of this parish, and some parts of the court-house being tenanted, the rents of all which the vestry are put to great difficulties in collecting, such properties are hereby vested in the justices and vestry for the time being;

v. 1

Who are authorized to repair and enlarge the tenements, and to raise a tax on the inhabitants for that purpose

2

They are made a body corporate for the purposes of this act, but no further; and may, when summoned, and met in vestry, demise the properties, but not for more than fourteen years.

3

They are, by the name of "The justices and vestry of the parish of Kingston," to have full corporate powers respecting such lands and tenements, as well for recovery of rents now due as for recovery of debts, dues, legacies, or bequests, which may become due, or be left and bequeathed for the benefit of the parish

4

Proceeds



- Proceeds are to be applied to the use of the poor, and surplufage, if any, to contingencies of the parish 5
- Justices, churchwardens, and vestrymen, empowered to purchase lands for burial-grounds 30 Geo. III. xiii. 2
- 110 l. added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, 3
- Under penalty of 50 l. on each defaulter 4
- Leave must be obtained from the governor before privates in the militia can remove from the foot to the horse 32 Geo. III. x. 11
- See BENEFICED ministers--COURTS of assize--DROGGERS--GAOLS--HARBOURS--PILOTS--PORTS of entry and clearance--PUBLIC hospital--PUBLIC wharves--SPANISH-TOWN road--WHERRIES--WOLMER'S free-school.

**Lamb.**

- M**E A T offered for sale as such, which weighs above 8 lb. the quarter, is to be considered mutton 5 Gul. & Mar. vi. 2
- Lambs must be brought into market with the heads on, and shewn, before cut up, to the clerk of the market 3

See SHEEP.

**Landed securities,**

- To be effectual to aliens for loans of money 13 Geo. III. xvi. 1
- See DEEDS.

**Landing-places,**

See DROGGERS--PUBLIC wharves--SLAVES--STOLEN goods--WHITE persons.

**Landlords,**

- May distrain for rent during martial law, on giving security to make restitution, if judgment be given against them in replevin 31 Geo. III. ii. 4
- See RENTS.

**Lands,**

- Rate of quit-rents to be paid for them, as settled in 1703 2 Ann. vii. 5
- Titles thereto not to be adjudged in inferior courts 10 Ann. iv. 11
- Informations for lands under the quit-rent acts are to be tried in the grand court only. They are to be proclaimed in the county-courts next after proclamation made in the grand court, and as often as it is made there, and proclamation be indorsed on informations 31 Geo. II. iv. 13
- Rates to be hereafter paid for acre-lands and foot-lands 29 Geo. III. xii. 4
- Possession of land, obtained by virtue of a survey or re-survey, is not to be deemed valid, unless the person or persons necessary to be served with notices, or some one for them, be present at the running of such lines, except an affidavit



davit be made of such notice having been given; which notice must be annexed to the scheme or diagram

31 Geo. III. xxii. 4

See ALIENS--BARRACKS--BOUNDARIES--COPARTNERCY--DEEDS--DUPLICATE orders--ESCHEATS--FORCIBLE entry and detainer--FOREEITED lands--FRAUDULENT conveyances--HEIRS at law--ISSUE of negroes--LOTTERIES--MORTGAGES--NEWCOMERS--NORTH-EAST part of the island--NULLA bona--PATENTS--PORTLAND--POSSESSION--PURCHASERS of land--QUIT-RENTS--RENTS--SUPREME court--SURRENDER of lands--SURVEYORS--TITLES--WILLS.

Lawes, Nicholas. See ST. ANDREW'S free-school.

### Laws.

Original acts of assembly to be lodged in the secretary's office 33 Car. II. xxiv. 1

All acts are to be recorded in the secretary's office, in a book kept for that purpose only. Such entries, and also any copies thereof, sworn to by the secretary before a judge of the grand court, are to be as valid as the original acts, and pleadable in any court of record

10 Ann. iv. 3

Such acts, or clauses of acts, as are inconsistent with the revenue law, repealed

1 Geo. II. i. 21

All acts which expired October 1, 1724 (and not since altered or repealed), revived, and declared to be perpetual; and all laws and statutes of England, which have been at any time received as laws here, are to continue laws of this island for ever

22

Transcripts lately made declared valid, when attested before a judge of the supreme court

11 Geo. II. iv. 1

Those which may in future be transcribed, are to be attested by the secretary before the chief justice

3

It being essential to the due execution of the laws of this island, that they should be printed and published, and James Jones having proposed to print and publish the acts passed since the year 1769, if the copy-right thereof be secured to him and his heirs for a limited time, the sole right of publishing such laws is hereby vested in him, his executors, administrators, or assigns, for ten years, from the day of first publishing them

24 Geo. III. xiii. 2

If any persons print or import, within the time above-mentioned, any copies or parts of such laws, without obtaining his or their consent in writing, or offer pirated copies for sale, they are to forfeit them, as well as 100 l. for each copy or part found in their custody, to him, his heirs, &c. He is to vend such compilation at 2 l. 15 s. each copy

2

It being necessary that correct copies of the several public acts in force should be printed, commissioners appointed to collect, print, and publish, all those which shall be in force on the 31st of December, 1790; saving the rights of James Jones, conferred by the above act

30 Geo. III. xx. 1

The laws so published are to be received as evidence in all courts of this island

2

Copies are to be delivered to the members of the legislature, &c.

3

Commissioners may assign the copy-right. The sum of 1200 l. is to be paid to

their



their order by the receiver-general, for purchasing out the right of James Jones, and for the other purposes of this act

4

Commissioners added to those appointed by the above act; who, with them, are empowered to publish laws passed since December, 1790, as well as all those which may be passed within fourteen years hereafter

32 Geo. III. xxix. 1

Laws so published are to be conclusive evidence in all the courts

2

Two copies are to be sent to each member of the legislature and each judge of the supreme court, and one copy to each justice of assize and each clerk of peace and clerk of vestry

3

Commissioners may assign the copy-right for fourteen years

4

The further sum of 1180*l.* is to be paid to their order by receiver-general, towards the expence of printing laws passed since the 31<sup>st</sup> December, 1790, to the end of the present session

5

#### **Laws and articles of war.**

To be made by commander in chief, by advice of a general council of war, and to be read every six months to the militia, while in arms

33 Car. II. xxi. 5

**Lawyers.** See ATTORNEYS at law--BARRISTERS.

**Leakage.** See DUTIES.

#### **Leases.**

Deeds granting them are not to be valid for more than three years, if omitted to be acknowledged or proved, and enrolled, within three months after their date

33 Car. II. xii. 1

See HEIRESS--MINORS--ORPHANS--POSSESSION--RENTS.

#### **Legacies.**

Slaves are to be subject to payment of them;

8 Gul. III. ii. 40

But not if the slaves are assigned for dower

41

See DEVISES of slaves--ISSUE of negroes.

**Legal payment.** See PAYMENTS.

#### **Legislature.**

To dispose of the surplus of the revenue

1 Geo. II. i. 19

See LAWS.

**Letters of attorney.** See PROBATES.

#### **Licenses.**

Marshals are not to make them in any other manner than herein directed

33 Car. II. xxiii. 19

They are to give defendants notice when they make any

8 Geo. II. v. 3

Particulars



- Particulars of levies are to be described in all returns to executions 8
- Receipts, particularizing every negro, and all goods, chattels, &c. are to be given by marshals to defendants 14
- Accounts of levies, specifying what levies are made each court, are to be entered in provost-marshal's books 21 Geo. III. xxiii. 4
- Those made on slaves, cattle, stock, carriages, implements, &c. are not to be removed from properties by marshal, if defendants, or their overseers, attornies, trustees, executors, administrators, or other representatives, or the mortgagees, or other persons claiming title, or their overseers or other representatives, as above, do, in five days after levies made, produce to the provost-marshal an attested docket of any mortgage or other prior incumbrance, together with an affidavit, made, in form herein specified, by any of the persons above-mentioned, identifying the slaves and stock (or their increase), and other articles levied on, as being therein included, and certifying that the incumbrances are prior to the executions on which the writs have issued directing the levies to be made; and if they do also, at same time, give marshal a written acknowledgment and engagement, in form herein also set forth, "That the levy has been made, that it remains in their hands, and shall be forthcoming on the first Monday in the next grand court, unless a replevin be sooner lodged in right of the prior incumbrance; in which case, the levy, or such part of it as shall not be recovered by the plaintiff therein, shall, in five days after trial of the replevin, be delivered to provost-marshal for sale, if court so order." The replevin is to be tried within one court after that for which it is brought, unless satisfactory reasons be given on oath to grand court for plaintiff's postponing it 23 Geo. III. xiv. 1
- Engagements not being fulfilled, defaulters are to be proceeded against by grand court 2
- Person in possession of the estate is to be answerable for the engagement, though it should be given by an overseer, or other person employed thereon 3
- Though such levies are hereby directed not to be removed, they are to be considered as in the custody of the marshal. The marshals are not to be entitled to any fees or charges whatever, till the levies are delivered over to be sold (if that happens), and then to gaol-fees only from the time of the levies being delivered into their possession, and such other fees as may be legally taken on sales of levies 4
- When replevins are brought against marshals for such levies, they need not be produced at the trial; but proof being given by the mortgager, or any other person (except the plaintiff, or persons claiming or to claim under him), at the trial, or under a commission in the cause, or rule of court, that the slaves, cattle, &c. mentioned in the replevin are also mentioned in the mortgage or other prior incumbrance then produced, is to be sufficient to identify them 5
- If a mortgagee, or other person claiming title under mortgage or other prior incumbrance, swear falsely on the trial of any such replevin, they are to be deemed guilty of perjury, and suffer accordingly 6
- If marshals act contrary to the true intent of this act, they are to be fined and imprisoned



imprisoned at discretion of grand court, and to make good losses, as awarded.  
 Replevins brought in any other cases are not to be affected hereby  
*See BAIL-BONDS--MINORS--PROCESS--QUIT-RENTS--ST. CATHERINE'S precinct.* 7

**Licenses.**

None to be granted or renewed for retailing strong liquors, without yearly certificates from two justices, and security of 100 l. in the secretary's office, that no disorders shall be committed. No rum, mixed or unmixed, to be sold without license, under penalty of 40 s. 33 Car. II. v. 1  
 Licensed persons who allow tippling in time of divine service are to forfeit 20 s. 1  
 And those who allow common gaming are to forfeit 10 l. 3  
 Persons obtaining licenses to retail strong liquors are to pay 5 l. annually to the revenue; those who retail any of the strong liquors herein mentioned, without such license, are to forfeit 10 l. 1 Geo. II. i. 13  
 Those for lotteries declared contrary to law 17 Geo. II. vii. 10

**Life estate.** *See SALE of slaves under venditioni exponas--SLAVES.*

**Light dragoons.**

Governor may take certain slaves from the workhouses to serve them as pioneers 32 Geo. III. xxxv. 1

**See SLAVES.**

**Limitation.**

Bills, bonds, and mortgages, whereon no interest has been paid, and judgments, recognizances, fines, and amerciaments, and all other obligatory writings, not legally demanded, within twenty years past, or that shall not so be in five years from the present time, declared void 10 Ann. xii. 2  
 Inconveniences having arisen from the long sitting of the courts of justice, the grand court is limited to seventeen days; 15 Geo. III. vi. 1  
 And the courts of assize to eleven days 2  
 [But the sittings have been otherwise arranged, in 33 Geo. III. since this abridgment was begun.]

Bills, bonds, mortgages, judgments, and other obligatory writings, which have been or shall hereafter be given, made, or obtained, whereon no payment is made or demanded in the space of twenty years from the time they become due, or from the last payment thereon, are to be null and void; except where persons are under age, coverture, or of unsound memory; who must bring their actions in three years after inability removed. 29 Geo. III. xiii. 4

**Liquors.**

All liquors which shall be imported for sale, in bottles which do not hold full quarts and pints, are to be forfeited 9 Geo. I. vi. 3  
*See BRANDY--DUTIES--MADEIRA wine--WINES.*

**Living of the clergy.** *See BENEFICED ministers.*



**Loans of money.** See ALIENS--BRITISH creditors.

**Long-Bay.** See PORTLAND.

**Lord Rodney.** See PUBLIC buildings.

### Losses.

Three fourths of losses occasioned by piracy or rebellion are to be made good by a tax on negroes. 11 Geo. I. viii. 1

Loss to be ascertained by a jury in the supreme court. Persons guilty of fraud or neglect, and those not having a due proportion of white men, excluded the benefit of this act; in which proportion, no white man is to be included that is unfit to serve in the militia, nor any who are not resident. 2

**Lots.** See LOTTERIES.

### Lotteries.

Declared common and public nuisances, and all grants, patents, and licences, for them, are to be void. 17 Geo. II. vii. 10

No person to make, or participate in, any kind of lottery, either by lots, or as sales of houses, lands, plate, jewels, or other goods. Makers of lotteries to forfeit 100 l. 11

And adventurers therein 10 l. 12

The above act being near expiring, it is hereby continued, and made perpetual

20 Geo. H. ix. 3

If any person keep an office or place, under denomination of a sale of houses, lands, negroes, plate, jewels, goods, or other things, by way of lottery, or by lots, tickets, numbers, or figures, cards, raffle, or dice, or make or publish proposals or schemes for advancing small sums, amounting in the whole to large ones, to be divided by the chances of prizes in any lottery, or shall deliver out tickets to entitle purchasers to a share of the money advanced, or expose any houses, lands, &c. to sale, by any method whatever to be determined by lot or drawing, such person (being convicted before two justices) is to forfeit 200 l. and suffer imprisonment, not exceeding three months, and till the fine be paid. 13 Geo. III. xix. 1

Persons who purchase any tickets, or become adventurers in any such lotteries or sales, are to forfeit 20 l. 2

Sales so made of any houses, lands, &c. are to be void, and the properties go to the person who sues. 3

Persons convicted by the justices may appeal to general quarter-sessions, giving five days notice to their prosecutors, and entering into recognizance, with two securities, to try such appeals at the next court, when they must be finally determined. If appellant be cast, he forfeits to prosecutor treble costs, and is to be imprisoned till payment. Conviction is not to be set aside for want of form, if facts proved; nor is either conviction or judgment to be removeable by certiorari. 4

Makers



Makers of, or adventurers in, lotteries, from whom penalties cannot be recovered, may be committed to gaol for three months

Justices neglecting the duties prescribed by this act are to forfeit 10*l.* if prosecuted in six months

Actions or suits for matters done in pursuance of this act must be commenced in three months after the fact, and in the county they appertain to; the defendant is to plead the general issue; and if the plaintiff be nonsuited, &c. defendant may recover treble costs

#### Lutra.

A beam, pair of scales, and set of standard weights, to be kept here 29 Geo. II. vi. 1  
It being necessary to put the fort, fortifications, and barracks here, upon the public establishment, the commissioners of forts, fortifications, &c. are appointed commissioners, and authorized, jointly with the governor, to order the repairing and enlarging them. They may make contracts to the amount of 2000*l.* 27 Geo. III. iii. 2

No money is to be issued for this purpose out of the fortification-fund, but by order of the governor, and a *quorum* of the commissioners

Commissioners and the governor may order a supply of materials from any persons land, for the use of the fort, fortification, and barracks, making compensation, and paying for damages

See STANDARD weights.

Luidas. See CLARENDON.

Lumber. See BOARDS, plank, scantling, and ranging timber.

Lynch's Island. See NORTH-EAST part of the island--PORTLAND.

#### Madeira wine.

TO be retailed at 1*s.* 3*d.* the quart, under penalty of 40*s.* for demanding more

33 Car. II. vii.

A duty of 6*l.* per ton to be paid on importation

1 Geo. II. i. 1

See DUTIES--WINES.

#### Magazines.

Persons having custody of those in St. Jago de la Vega, Port-Royal, and Kingston, are to receive gunpowder sent in by retailers, and deliver it out as required, under penalty of 100*l.*; for which they are to be paid 2*s.* 6*d.* per barrel

17 Geo. II. xvii. 4

One to be built at each of the barracks herein specified

1 Geo. III. xix. 4

Mahogany. See SEA-COASTS.



**Manchioneal.**

- Every new settler to have a lot of land on the sea-shore, sixty feet in front, and one hundred and fifty in depth; if land not sufficient, they may have a lot, of the like dimensions, at the back of those bounding on the sea-shore 22 Geo. II. xiv. 2
- The ten acres near the barracks, appropriated by 11 Geo. II. cap. vii. for lots, are to be for the same use as the 100 acres therein mentioned 3
- The above-mentioned 100 acres of land having never been made use of as intended, and several new-comers, by consent of the governor, having settled and built thereon, each such new-comer is to have the lands he has settled, not exceeding twenty acres each person 26 Geo. II. iv. 1
- The remainder, if any, to be granted to other new-comers, in like quantities; but no land granted under this act is to extend nearer to the sea-shore, or Manchioneal harbour, than 300 feet 2
- Public to pay fees for the above grants 3

See PORTLAND--NEW-COMERS.

**Mange.** See ASSES--HORSES--MULES.

**Manifests.**

- All masters, mates, supercargoes, and merchants of vessels, that arrive in this island, or come to anchor or discharge any part of their loading at any harbour, quay, &c. within sight of this island, having on board goods liable to any of the duties mentioned in this act, must, within forty-eight hours after arrival, deliver to the receiver-general a true manifest of their lading, and to whom consigned, and, under penalty of 500 l. swear to its truth, and that no goods shall be delivered till they get a certificate 1 Geo. II. i. 6

See CLEARANCES--DUTIES.

**Manning's free-school.**

- Thomas Manning having left land, laves, &c. for establishing a free-school in Westmorland, trustees appointed for managing his bequest, five of whom were to be a *quorum* 11 Geo. II. ix. 1
- They and their successors to have the whole property in trust, and be incorporated by the name of "The trustees of Manning's free-school" 2
- They are to have a common seal, in which is to be engraved *Charity, with a sucking child at her breast, and another in her arms* 3
- Accounts of Manning's estate to be delivered to trustees in six months 4
- Trustees to erect buildings for the dwelling and use of masters and ushers, for instructing youth (without charge) in reading, writing, arithmetic, Latin, Greek, the mathematics, and other learning the trustees think proper, and for the dwelling of the children, who are also to be maintained. Trustees are to appoint masters, and may remove them 5
- They are also to receive children of parishioners, discharge them on ill behaviour, or at fourteen years of age, and repair and enlarge the buildings 6
- Regulations for the school to be made by the trustees; who may visit it to reform disorders 7

They



They must not retain monies above thirty days, nor borrow it on interest; neither may they buy, sell, rent, or lease, to one another, any of the lands, tenements, &c.

8

Persons offending against any part of this act are to forfeit 50*l.*

9

The custos, members in assembly, three senior magistrates present at any meeting, and the rector, all for the time being, of the parish of Westmorland, together with five of the freeholders chosen annually by the other freeholders on the first Monday in August, appointed trustees for the management of the free-school, five of whom are to be a *quorum*; but the custos, one of the members in assembly, or one of the three senior magistrates residing in the parish, must be of that number

9 Geo. III. iv. 2

All the properties vested in the above trustees; who are to have the same powers as were given to those nominated by 11 Geo. II. cap. ix.

3

Every part of said act, except *cl.* 1, to remain in full force

4

Manning, Thomas. See MANNING'S free-school--ST. MARY'S.

#### Manumission.

Of Cuffee, Sambo, and Quashey, for deserting and serving against the rebels

12 Geo. II. v. 4

40*l.* to be paid for the freedom of each

5

Of Venus, for informing of an opportunity to take Accompong's Town; and of Affiba, for being a guide to the negro-town. 30*l.* to be paid for each

6

Of Mark and Cæsar, for distinguishing themselves, and behaving well as guides

13 Geo. II. viii. 4

Of Foster, Pembroke, George, Cuffey, Billy (a mulatto), Blackwall, Yankey, Billy, Philip, London, Moll, Quaco, Nero, Congo Molly, Beckford, Silver, Jemmy, and Will, for having been instrumental in discovering conspiracies, and active in suppressing the late rebellions. Each of them to have 5*l.* in May next, and 5*l.* annually during life

1 Geo. III. xxiii.

Of Jack, for being instrumental in the discovery of rebellious conspiracies, and active in suppressing the late rebellion in St. Mary's

2 Geo. III. xii. 1

Annuity of 5*l.* for life granted him

2

Of Jack Pearson, for having discovered a dangerous conspiracy of slaves in Westmorland, and killed and taken many of them. Receiver-general to pay 60*l.* for his freedom

4 Geo. III. ii.

Of Cato, for similar services. Receiver-general to pay 70*l.* for his freedom

5 Geo. III. v.

Of York, for being, when a rebellion broke out in St. Mary's in 1765, particularly active and instrumental in saving the life of his mistress; and of Cuffee, for voluntarily making discovery of the conspiracy. Annuity of 5*l.* granted each of them; and 140*l.* to be paid for York's freedom, and 80*l.* for Cuffee's

8 Geo. III. ix.

Of Will, a mulatto slave, for being active in discovering the murderer of a white man. Annuity of 10*l.* granted him, and 100*l.* ordered to be paid for his freedom

13 Geo. III. xxi.

Of



Of Attea, for giving information of a dangerous conspiracy formed, in 1774, in Westmorland. 100*l.* to be paid for her freedom; and an annuity of 5*l.* granted her for life 15 Geo. III. xi.

#### Manumissions.

Those slaves who have obtained them are to be tried as if born free 21 Geo. II. vii. 2  
Inconveniences having arisen from slaves being enfranchised without provision made for them, no persons are hereafter to manumit any, by deed, will, or otherwise, without first giving security to churchwardens of the parish where they reside, that each freed person shall be paid 5*l.* annually 15 Geo. III. xviii.  
It having been directed, by 21 Geo. II. cap. vii. cl. 2, that freed people should be tried for offences as if they had been born free; and doubts having arisen whether such of those people as had committed crimes before they were manumitted can be tried like slaves; it is hereby enacted, that such offenders shall be tried as slaves, and not derive any benefit, on their trials, from manumission, unless proof be brought of its having been recorded, and a certificate thereof granted by the commander in chief, before the crime was committed. But the charge must be brought within three months after commission of the crime 25 Geo. III. viii.

When slaves have been mutilated or dismembered, and the owner is convicted thereof in the grand or assize courts, the court may, if they think it necessary for the future protection of the slaves, grant them manumissions 32 Geo. III. xxiii. 19

**Mares.** See CATTLE--HORSES--HORSE-STEALING, *prevention of*--POUNDS--SLAVES.

**Mariners.** See SUGARS.

#### Markets.

Meat to be immediately removed out of the markets, when paid for 5 Gul. 3 Mar. vi. 4  
Under penalty of 40*s.* 7

Justices in sessions to appoint market-places; and market to be opened by ringing the bell; which on Saturdays shall be at three in the afternoon, and on other days at five in the morning 5

See CLERKS of the markets--MEAT--STILLIARDS--TURTLE.

#### Maroons.

Articles of pacification concluded with those of Prelawny-Town, who are allowed 1500 acres of land. Persons infringing the articles are to forfeit 500*l.*

12 Geo. II. v. 1

Settlement of the boundaries of the above-mentioned 1500 acres of land 31 Geo. II. ix. 1

Regulations respecting runaways the maroons take up 12 Geo. II. v. 2

Four white persons to reside among them, and be paid 200*l.* per ann. each 3

Articles of pacification concluded with those of Crawford's Town and New-Nanny Town, who are allowed a certain quantity of land. No person to infringe the articles under penalty of 500*l.* 13 Geo. II. viii. 1

Regulations



- Regulations about runaways these maroons take up 2
- Four white persons to reside at the above towns, and be paid 200 *l.* *per ann.* each 3
- Further regulations respecting runaways taken up by them 14 *Geo.* II. vii. 1, 2
- Other parts of maroon laws confirmed 4
- Grant of 1000 acres of land in St. Elizabeth's, which are allotted for Accompong's Town. Boundaries thereof particularized 31 *Geo.* II. ix. 2
- Said lands vested in the maroon negroes, and their heirs; and any surveyor or other person intruding thereon is to forfeit 500 *l.* 3
- Maroons are to convey runaways taken up by them, within five days, to the next magistrate in the parish where they are found, and be paid 40 *s.* for each runaway (or less, at discretion of the magistrate); and mile-money, at the rate of 7½ *d.* *per* mile, from the place where the runaway shall have been taken up to the place where magistrate is when runaway produced to him. Magistrate is to certify both sums to owner; who is to pay the amount, together with mile-money, at the same rate, to his house or settlement; or, in case of refusal, forfeit double the amount. In order to prevent disputes, money is to be paid before a white person, who is to certify the payment on the back of the magistrate's certificate. If payment be not so made, and if complaint lodged by maroon, the owner of the runaway, or his representative, is to be summoned; and, if any default appear, magistrate must, under penalty of 10 *l.* issue his warrant to a constable or marshal, for distraint to be made, and goods to be sold (to amount of maroon's demand) at public outcry, first giving five days notice of sale; for which constable is to have a poundage of 2 *s.* 6 *d.* If runaways cannot be sent to their owners, magistrate is to give a like certificate to be delivered to the next marshal, who is to pay maroons the amount, and mile-money to his residence, under the same penalty as owners, for refusal 10 *Geo.* III. v. 1
- The award of the magistrate is not to be appealed from 2
- If maroons disobey orders, excite or join in tumults, depart their towns without leave, or stay out longer than permitted, they are to be tried in a court held by the superintendent and four negro officers, who are to award punishment, not extending to life, limb, or transportation 32 *Geo.* III. iv. 2
- Governor may grant a general commission to superintendents to hold such courts; and superintendents are to report proceedings to him, in thirty days after their being held, under penalty of 20 *l.* for each neglect 3
- If superintendents and negro officers are neglectful or partial, governor may have them tried by a court-martial; but the punishment is not to extend further than imprisonment for six months, or loss of commission 4
- On complaint made, on oath, to a justice of peace, of any felony, burglary, robbery, or other offence whatever, having been committed by maroon negroes, he is to grant a warrant to apprehend the offenders, and to have all persons brought before him, or some other justice, that can give evidence (which slaves may in all cases be); and if, upon examination, it appear there are grounds for public trial, the justice is to commit them, unless the offence be bailable, and bind over the witnesses. They are to be tried where quarter-sessions are held, or where parochial business is usually transacted. The justice



tice is to call in two other justices (who must attend, or forfeit 20*l.* each), and they are to summon fifteen persons, such as are usually impanelled to serve on juries, to appear at a specified time, who forfeit 5*l.* each, if they neglect. There must be ten days between the complaint and the trial. Of the fifteen persons summoned, the first twelve who appear are to compose a jury. If maroon be found guilty, the justices may give sentence of death, transportation, public whipping, or confinement to hard labour for not more than twelve months. Execution of women with-child is to be respited until a reasonable time after delivery. Where sentence of death or transportation shall be passed (except for rebellious conspiracies), execution is to be respited until the governor's pleasure be signified; and the justices may respite the execution of any sentence till his pleasure be known, if they see cause.

No challenge of any juror (unless reason be assigned, which court is to admit or reject), and no exception to the form of the indictment, is to be allowed. Where the punishment of death is inflicted, the execution is to be in a public part of the parish, with due solemnity, and care be taken by the gaoler or marshal, that the criminal is free from intoxication when tried, and from thence to and at the time of execution, under penalty of 5*l.* The mode of execution is to be hanging by the neck, and no other; and the body to be disposed of as the court direct. Where several are capitally convicted for the same offence, one only is to suffer death, except for murder or rebellion.

Where the punishment is confinement to hard labour, for a limited time, in a public workhouse, they are not to be chained to slaves, but confined to work within doors, with other free negroes.

If any maroon or slave give false evidence under this act, they are to suffer such punishment as court thinks proper.

Records of trials are to be kept by clerks of peace, who must attend the trials, record proceedings in five days, and deliver a copy thereof to the superintendent, to be forwarded to the governor, under penalty of 20*l.* for each neglect; for which business he is to be paid 5*l.* Deputy-marshals are also to attend at trials, under penalty of 20*l.* They are to be paid 5*l.* for attending at the trial and execution of offenders condemned to die or be publicly whipped. When, after examination, superintendent makes application to the justice to have the maroons tried in the county-town, or if the justice thinks the trial ought to be there, he is to take security for their appearance there, on a day by him appointed, not exceeding a calendar month; for which time the jury is to be summoned, and when the trial is to be proceeded on in the manner directed in *cl. 5.* But if respective securities be not given, justice may commit not only offenders, but witnesses, to the county-gaol; and immediately afterwards transmit proceedings to clerk of the peace of the county-town, that he may prosecute according to law. Expences of such trials are to be paid by the public.

If any superintendent, or negro maroon officer, knowingly permit a large concourse of slaves in the day time, or nightly meetings of slaves, in their towns or settlements, he is, on complaint to the governor by two justices of the precinct,



- to be tried by a court-martial, and, if convicted, be broke; but the information must be given, on oath, in ten days after the meeting. Maroons may have dances among themselves in the night, or even with a small number of slaves, provided it be between sun-rise and sun-set 10
- If maroons inveigle slaves, or harbour runaways, they are to be transported 11
- If they quit their towns without leave, or stay out seven days beyond their time, and if complaint be made on oath to a magistrate, they are to be committed to the marshal of the precinct, who, under penalty of 20*l.* is to send them home for trial 12
- No maroon negro is to purchase a slave, under penalty of forfeiture thereof to his majesty; and if any person sell or give a slave to any of them, or buy any in trust for them, such person is to forfeit 100*l.* for each so sold, given, or bought in trust 13
- Each superintendent, as often as he sends out any party on duty, is to give his orders in writing to the commanding officer thereof, specifying at whose request the party is ordered out, the names of the officers and men, and the time when the party is to return; and, on their return, he is to make oath, on the back of his orders, that the service has been performed, or as the circumstances may be. But no party is to remain out for more than twenty days 14
- Maroons are to have 40*s.* and mile-money, for every runaway they take when on parties, and 20*s.* for those taken when not on parties. If payment is refused, complaint on oath is to be made by the superintendent to a magistrate, who, under penalty of 20*l.* is to issue a distress warrant for recovery thereof. Maroons are to have 1*s.* per mile for the first five miles, and 6*d.* for every mile besides, to the workhouse, or to the proprietor's house next adjoining where runaway was taken up 15
- No white person is to employ a maroon negro without a written agreement, of which two parts must be signed or marked by both parties, and subscribed by a credible white witness; one of which is to be delivered to the maroon, the other kept by the hirer; in neglect whereof, the white person is to forfeit 20*l.* 16
- Debts due to or from maroons are to be determined by two magistrates, in as summary a manner as directed by 9 *Geo. II. cap. ix.* 17
- Whoever shall whip, beat, bruise, wound, or ill-treat, a maroon, may be indicted at the quarter-sessions, and punished by fine or imprisonment, or both, as the court thinks proper 18
- The superintendent of each negro-town is, every three months, to make a return, on oath, to the governor, of the number residing in their towns, how many are able to bear arms, and how many unfit for duty, the number of women and children, their increase or decrease, the condition of the superintendent's house, and state of the roads 19
- Each superintendent is actually to reside in his town, and, on no pretence, to be absent longer than a fortnight, without the governor's leave 20
- If they fail in the duties required by the above two clauses, they may be tried by a court-martial, and be broke 21
- Negroes belonging to each town are, once every year, to repair the roads leading thereto, when ordered by their superintendent; for which each man so employed



- is to be paid 1 s. 10  $\frac{1}{2}$  d. *per* day, oath being first made by the superintendent of the number of negroes actually employed, and the time they worked. But the pay is not to exceed 50 l. *per annum* to each town. 22
- Maroons, when on parties, are to be paid as follows: A captain, 2 s. 6 d. *per* day; lieutenant, 1 s. 3 d. *per* day; and common men, one ryal *per* day, while on actual duty, and are to have provisions and ammunition supplied by the superintendent, for which receiver-general is to pay. But no party is to consist of more than twelve men, including officers, except on particular occasions. 23
- As the number of maroon negroes has greatly increased, and is still increasing, so that their lands will soon be unable to provide for their support; when any of them wish to live out of the negro-towns, they are to appear personally at the quarter-sessions, and solemnly declare they are desirous to give up their right to any part of the maroon lands, and reside in some other part of the island, except in any of the maroon towns. 24
- Magistrates are to have such declaration recorded, and, under penalty of 20 l. give the maroon a copy of it. 25
- They are then to be no longer subject to the superintendent, but enjoy the privileges of free people. Men must enlist in the militia, within twenty days after such declaration. 26
- This act is to be read and explained to maroons quarterly, by each superintendent. 27
- Complainants, defendants, jurors, and witnesses, are to be protected from mesne and judicial process, in going to, attending at, and returning from, trials of maroons. 28
- Maroons who are sentenced to be transported are to be sold by the receiver-general. If they return, they are to suffer death. 29
- This act is not to abridge the governor's power; 30
- But he cannot send any persons off the island against their will. 31
- Their rewards for taking up runaways not altered by the consolidated slave law xxiii. 32
- 30

#### Marriages.

- Ministers are not to take any greater fee for marriages than justices and vestries allow. 33 Car. II. xviii. 4
- Marriage is to determine the indentures of girls apprenticed by parishes. 35 Car. II. xi. 3
- See BENEFICED ministers.

#### Marshals.

- Unless they swear in open court, that defendants have been legally summoned fourteen days before the holding thereof, judgment cannot go by default. 33 Car. II. xxiii. 7
- Having left goods, taken in execution, for defendant to sell, they are to be acquainted with agreements made by him, that they may deliver goods, and receive proceeds. 11
- If defendant delay sale till within ten days of subsequent court, marshals are to retake goods, and sell them by public outcry. 12
- If they can obtain nothing but negroes, cattle, or utensils, in execution, they are to leave them in defendant's possession, and make return; 13
- Nor



- Nor are they afterwards to take them, if shewn penned cattle, to sell upon *venditioni exponas* 14
- They are not to detain money arising from sales under *venditioni exponas* above ten days after sale, under penalty of half the debt 13
- If they levy execution in any other manner than herein directed, or receive mile-money for executing any writ of execution or *venditioni exponas*, they forfeit 100 l. for each offence 19
- They are to pay all fines, forfeitures, and amerciaments, to receiver-general, before the ensuing grand court, or forfeit double the sum received 8 *Geo. III. i. 5*
- Establishment of marshals fees in inferior courts 10 *Ann. iv. 13*
- Their fees and mile-money, for certain business 8 *Geo. II. v. 3*
- They are not to insert any *nota bene* in advertisements, which may injure the sale of negroes, cattle, or other things 4
- When levies made on writs of execution, they must give notice to defendants, or their attornies, or leave notice in writing at their places of abode, of such levies being made, and at whose suit; and they must not take any fees till debt paid, or in proportion to such part of it as shall be discharged 5
- They are, upon writs of *venditioni*, to sell no more of the negroes or effects of defendants than are necessary to satisfy debts, costs, and fees; and if more be sold, they must return overplus to owners within ten days after the sale 7
- They must, on all returns to executions, describe the particulars of levies 8
- In cases of sale, they must sell slaves singly, or in families; working cattle by the yoke or couple; and all other neat cattle, horses, mares, and mules, singly 9
- When two or more executions or *venditioni*'s lodged for the same debt, they must take no more poundage-fees than for the real debt and costs 10
- One marshal to be kept in each precinct, who must reside in the most convenient part of it, to receive prisoners, and execute writs and precepts 12
- Those of St. Jago de la Vega, Port-Royal, and Kingston, are to publish weekly a list of all runaway slaves in their custody, with the names, marks, and times of their coming in, their offences, and to whom they belong, under penalty of 50 l.; and receive 6 d. per day for the maintenance of each slave, and no more 13
- All marshals must, upon seizures, give to defendants, or their agents, a receipt, containing an exact account of every particular negro or other slave, goods, chattels, or other things, which they take by virtue of any writ of *venditioni*, or other writ or process 14
- Must sell all slaves, neat cattle, horses, mares, mules, and other live stock, taken on any writ of *venditioni exponas*, within fourteen days after they have been taken, first fixing up public notice five days before the sale 15
- If any of them offend against this act, they forfeit 20 l. besides penalties inflicted by 10 *Ann. cap. iv.* 17
- They are to execute judgment of justices on white servants, under penalty of 50 l. 9 *Geo. II. ix. 7*
- If affidavit be made, and duly served on them, that slaves they have taken on *venditioni exponas* are not the property of the persons for whose debts they have taken them, they must delay sale for twenty days; 9 *Geo. III. xiii. 1*
- But if no replevin brought within that time, they may proceed to sale 2
- R 2
- Their



Their goods are subject to be distrained on, if they do not pay rewards and money to maroons for taking up runaways, when brought with a magistrate's certificate.

10 Geo. III. v. 1<sup>a</sup>

If marshals knowingly levy upon and sell slaves of minors, for debts to which such levies are not liable, they are to forfeit 200*l.* for each slave.

17 Geo. III. vii. 2<sup>a</sup>

If they ignorantly levy on such slaves, and notice be given them that their restitution will be applied for, they are to delay sale for thirty days, under penalty of 500*l.*

3

When they sell slaves levied on for debts of persons who have only a temporary right in them, they must, under penalty of 500*l.* give public notice thereof, and not deliver such slaves till bond given that they shall not be transported, &c.

4

Previous to selling slaves taken on *venditioni exponas*, they must give fifteen days notice (posted in two public places of the parish) of the day of sale, and cause of levy, under penalty of 500*l.*

7

They are to administer oaths at elections of representatives in the different parishes;

21 Geo. III. xv. 9<sup>a</sup>

But if they vote, and are required to attest their freeholds, any justice of peace or either of the candidates may administer the oath to them.

12<sup>a</sup>

In lists of polls, they are to insert the particular kind of freehold on which each person has voted, write *jurat* opposite the name of every voter who has been sworn, and distinguish which oath he took. If election controverted, the marshal is, within a month, to transmit the list to the secretary's office, first making affidavit (to be inserted under or on the back of it) that it is the genuine poll taken at the election, under penalty of 500*l.* and a year's imprisonment.

13

They are to administer oath to freeholders supposed not to be of age, under penalty of 500*l.*

17<sup>a</sup>

If they reject persons whose freeholds are properly registered, or accept votes from those whose freeholds are not, they are to be imprisoned twelve months, and fined 500*l.* for each offence.

18<sup>a</sup>

They are not to remove levies from properties, if, in five days after making them, they have authentic proof of prior incumbrances, and receive an engagement for their forthcoming.

23 Geo. III. xiv. 1<sup>a</sup>

They are not entitled to fees on such levies until they receive them for sale, if that happen.

4<sup>a</sup>

If any marshal, with intent to distress the defendant, or injure the estate, acts contrary to the true intent of this act, the grand court is, on proof, to punish him, by fine and imprisonment, at their discretion, and to award him to pay to the defendant all costs, damages, &c. as well as compel payment thereof in the most summary manner.

7<sup>a</sup>

When levying for quit-rent bonds, they may also levy a poundage of 5 *per cent.* on the first 100*l.* and 2  $\frac{1}{2}$  on every other 100*l.* as their fees.

24 Geo. III. xi. 8<sup>a</sup>

They are, in their respective counties, on the first Wednesday in each court, to deliver in, on oath, alphabetical lists of prisoners for debt.

28 Geo. III. viii. 2<sup>a</sup>

Are not to hold elections of members in assembly in churches or chapels.

xi. 1<sup>a</sup>

Must, when writs of assistance directed to them, aid officers of customs in seizures, under penalty of 200*l.*

xv. 6<sup>a</sup>

Are



- Are to produce, as directed, prisoners who are wanted to give evidence under the inveigling act 29 Geo. III. iii. 11
- When replevins brought against them for slaves in their custody, they are to advertise them (as descriptively as they can) four weeks previous to trials, under penalty of not less than 5 *l.* nor more than 50 *l.* 30
- If prisoners under the inveigling act escape, marshal is to forfeit 100 *l.* and indemnify parties aggrieved thereby 36
- They are not to take or arrest any officers or men, or slaves, employed in parties, or within thirty days after their discharge, under penalty of 50 *l.* and of being liable to actions of false imprisonment 31 Geo. III. i. 17
- Are to execute all writs, warrants, &c. respecting forcible entry and detainer, that come to their hands during martial law, under the same penalties and punishments as if it were not in force ii. 3
- They are to take care that maroons, going to trial, and till execution, are kept sober, under penalty of 5 *l.* 32 Geo. III. iv. 6
- And so of slaves xxiii. 51
- They are to attend trials of maroons, under penalty of 20 *l.* They are to be paid 5 *l.* for attending at trial, and at execution or whipping iv. 9
- They are, under penalty of 20 *l.* to send home maroons, who have staid from their towns without or beyond their leave, for trial 12
- Are not to detain or molest militia-men, or levy on or extend their property, while on duty, nor for a certain time before or after, under penalty of 100 *l.* and making good damages x. 21
- Regulations for the service and execution of process xvii. 1, 5
- They must use their utmost diligence in the due service and execution of all process sent to them by the provost-marshal-general; or, on any gross neglect, default, corruption, &c. being made appear to the supreme court, they may be fined, not exceeding 20 *l.* for each particular offence, or dismissed; and any deputy, so dismissed, is to be incapable of serving as a deputy-marshal again, unless by the permission of ~~supreme~~ court, entered of record by clerk of the crown 4
- Are to pay crown witnesses 5 *s.* per day 21
- They are to attend certain trials of slaves, under penalty of 20 *l.* as well as at the execution of those condemned to die, being paid 2 *l.* xxiii. 54
- They are to account, on oath, to churchwardens for monies they receive for transported slaves 57
- Are, under penalty of 50 *l.* to deliver up runaways to guardians and governors of public workhouses, if demanded 60
- If they suffer slaves to escape out of their custody, who have been committed for offences, and the slaves remain out two years, they are to forfeit 20 *l.* and may be sued for the slaves value 74
- See FINES, forfeitures, and amerciaments--INSOLVENT debtors--MILITIA--PROCESS.

Partha-Bat, harbour of.

In order to keep this harbour in repair and good order, commanders of vessels trading



trading north of the tropic of Cancer, who arrive here, are to pay the following duties: For every three-mast vessel, 15 s.; for every brigantine, snow, or birlander, 10 s.; and for every sloop or schooner, 7 s. 6 d.; those trading between the tropics are to pay half those sums; and sugar droppers are to pay 2 s. 6 d. every three months

23 Geo. III. xxvii. 1

If the deputy receiver-general clear out any vessel chargeable with the above duties before they are paid, he forfeits 50 l. for each offence; the water-bailiff having first left with him a certificate from the commander, that the duty of such water-bailiff has been performed in mooring the vessel

Every commander is, in three days after mooring his vessel, on application made by or for the water-bailiff, to sign such certificate, under penalty of 40 s.

Governor is to appoint a water-bailiff, for the orderly government of the port, and that all vessels may anchor and moor in a proper manner, with such salary as he thinks fit, so as it do not exceed the money raised by this act

Receiver-general, out of the monies hereby arising, is to pay orders given by the governor, for paying the water-bailiff's salary, and defraying other expences for effecting the purposes of this act. Water-bailiff is to be sworn to act impartially, and to execute the office according to the usage of Great-Britain

Water-bailiff is to be allowed 140 l. per ann. by the parish of Trelawny

No vessel is to be moored to swing nearer to a wharf than fifty fathoms, nor have a stern-fast, unless to unload or load, off a wharf, under penalty of 10 l. on the master

From the 1st of August to the last of November, no vessel is to swing nearer to a wharf than one hundred fathoms, unless to load or unload, under the same penalty

If the water-bailiff, by ignorance or negligence, moor any vessel so that damage occurs, he is liable to make compensation. No commissioner or wharfinger can be appointed a water-bailiff

Justices and vestrymen of Trelawny appointed commissioners to carry this act into execution

Disputes concerning mooring vessels are to be settled by commissioners; whose directions water-bailiff is to follow, under penalty of 20 l. for each offence

No ballast is to be thrown overboard, into the harbour, under penalty of 10 l. for each offence

The harbour-master is to take charge of any vessel that happens to be set on fire, to stop its progress; and if any persons obstruct him therein, they are to forfeit 500 l.

#### Martha-Brae Point.

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

Rates of wharfage and storeage in this town, for sundry articles, regulated differently from those established for the whole island, by 25 Geo. III. cap. v.

29 Geo. III. xx. 1, 2, 3

Lists of these rates are to be kept constantly in view at the weigh-house, under penalty of 40 s.



If larger rates are taken, offender is to forfeit 100 l.

Offenders may be imprisoned till they pay penalties;

Which are to go to the informer

See STANDARD weights.

### Martial law.

To be in force when proclaimed, by advice of a council of war, at Port-Royal and St. Jago de la Vega. Power of the commander in chief while in force.

It is to cease upon lodging the colours, and discharging the men from their arms

33 Car. II. xxi.

The proclaiming of martial law is not, at any time hereafter, to cause a discontinuance of any suits or process, civil or criminal; but if it should be in force on any of the days appointed for holding the grand court, all process is to be continued, recognizances respited, and writs deemed returned; and, on martial law being taken off, the same proceedings are to be had, and like process issue, bearing like teste and returnable in like manner, as if martial law had not intervened. If the holding of either court of assize be prevented by martial law being in force, the judgments obtained at the subsequent court, and the executions thereon lodged, are to have the same priority as they would have had if the court had not been suspended

17 Geo. III. i. 2; 32 Geo. III. xii.

Not to interrupt proceedings in cases of inveigling

29 Geo. III. iii. 27

Is not to prevent the suing out writs of arrest, or other process, against persons intending to leave the island, or, if they get off, the issuing foreign attachments;

31 Geo. III. ii. 1

Not to hinder commitment, bailment, or binding over, in criminal matters; nor stop coroners from performing their office

2

In cases of forcible entry and detainer, judges of grand court, justices of assize, and justices of peace, are to act as if it were not in force. Marshals and constables are to do their duty, for the above purposes, under the same penalties as at other times

3

Landlords may distrain for rent, on giving security to make restitution, in case of judgment being obtained on replevin

4

Vestries, churchwardens, surveyors of highways, and collecting constables, are to do their duties during its continuance, as if it were not in force

5

If collecting constables distrain, they are to give the same security as landlords, prescribed in cl. 4.

6

This act is to be in force till December, 1795

7

Martial law is not to be declared without advice of a council of war, and is to last only thirty days, unless continued by the same advice

32 Geo. III. x. 48

Proceedings under the slave-act are not to be impeded by its being in force

xxiii. 76

### Masters and servants.

All differences between masters and servants, hired, contracted, or indented (overseers of sugar plantations excepted), are to be determined by two justices of peace of the precinct where difference arises, without appeal, although the

same



sums exceed 40 s. or 20 l. notwithstanding 33 *Car. II. cap. vi. cl. 1*, and 33  
*Car. II. cap. xxiii. cl. 6* 9 *Geo. II. ix. 8*

### Masters in chancery.

- Their fees, as settled in 1711 10 *Ann. iv. 21*  
 New establishment of fees to be taken by them 28 *Geo. III. x. 1*  
 If any master take greater fees, or other reward, he is to forfeit 500 l. and be incapacitated to bear the office 2  
 Where any sale is directed to be before a master, he is not to be entitled to any money for commission, but only to his fee for attendance 3  
 All clauses in former fee-laws, relating to their fees, repealed 4  
 Masters to attend at their offices, on days appointed for transacting business referred to them, from nine to twelve in the forenoon, and be paid in proportion to time they sit 5  
 Table of masters fees to be kept up in the register's office, under penalty of 50 l. 6  
 If disputes arise between masters and parties, or their solicitors, relative to their demands for costs, the bills are to be referred to the register to be taxed, subject to further order of court 7  
 Register is to be allowed 1 l. 5 s. for such taxation 8  
 This act will expire on the 31<sup>st</sup> of December, 1796 10

### Masters of families.

- To give notice to ministers or churchwardens of all births, christenings, marriages, or burials, in their families, under penalty of 5 l. 33 *Car. II. xviii. 7*  
 See REGISTERS.

### Masters of vessels.

- Masters of vessels, before they trade in this island, or land any thing but living creatures, are, under penalty of 50 l. to give 1000 l. security, not to carry persons off the island without tickets, nor depart without leave; 35 *Car. II. i. 1*  
 But masters of vessels belonging to inhabitants of the island, trading to and from it, are to give security but once every six months 2  
 If they entice seamen from other vessels, they are to forfeit 15 l. iv. 6  
 Not to suffer any slave to work on board without due authority, under penalty (besides others) of 100 l. Justices to summon offenders, and commit them to the common gaol till fine paid 9 *Geo. II. ix. 4*  
 Each commander, on his entry, is to make oath that he will not hire any negro slave but in conformity to this act 5  
 See ANNOTTA-BAY--BOARDS, plank, scantling, and ranging timber--CARRYING off slaves--CLEARANCES--CURRENT coin--DROGGERS--DUTIES--FOREIGN produce--GRAVESEND--INDENTED servants--KINGSTON--MANIFESTS--MARTHA-BRAE, harbour of--PILOTS--PORTS of entry and clearance--PUBLIC hospital--SOLDIERS--SUGARS.

Mates of vessels. See MANIFESTS.

Measurement



**Measurement of boards, plank, scantling, and ranging timber.**

Every deal or other board or plank, that measures on the square edge half an inch, and less than three quarters of an inch, is to be reckoned as half an inch thick; those which measure three quarters of an inch, and not an inch, are to be deemed three quarters; and those which measure one inch, and less than an inch and a quarter, to be deemed inch thick. All deal or other boards, plank, and scantling, or ranging timber, of greater thickness, are to be reckoned and marked at the same rate

13 Geo. III. xii. 1

For each 1000 feet of lumber, measured and marked, measurer is to be paid 5 s.

4

And if any board, piece of joist, &c. is marked for more than it contains, measurer forfeits 10 s. for each offence

6

**Measurers.** See SWORN measurers.

**Measures.** See CLERKS of the markets.

**Meat.**

Prices of fresh beef, mutton, and goat, *per lb.* as settled in 1681; the meat to be weighed without head, entrails, or feet; suet to be sold at no higher rate than the meat; no person to refuse to sell the meat by weight; under penalty of 20 l. on offending in either particular

33 Car. II. iv. 1

Prices of the above meats, and of veal, pork, lamb, and kid, as settled in 1693; to be weighed without head, &c. and no more to be taken for suet, as above

5 Gul. &amp; Mar. vi. 1

Distinction, by weight, between veal and beef, lamb and mutton

2

No meat to be retailed but in open market; where it is not to be refused to any person bringing ready money, by the quarter, joint, or piece (not less than 7½ d.), by weight, without imposing on the buyer meat of any other kind whatever. All meat, when purchased and paid for, is immediately to be removed out of the market

4

Any person, buyer or seller, who offends against this act, is to forfeit 40 s.

7

No fees to be paid for killing meat, unless sold in the market. If disputes arise about weight of meat, and clerk of the market determines them, the person in the wrong is to pay his fee

10 Ann. iv. 30

Those parts of former acts which fixed prices of meats, repealed

22 Geo. III. viii.

If slaves are found to have above five pounds of fresh meat in their possession, and do not give a satisfactory account how they came by it, justices are to order punishment

32 Geo. III. xxiii. 46

See LAMB--VEAL.

**Pelasses.** See BREACHES of trust, &c.--FOREIGN produce--RECEIVERS of stolen goods.

**Men of war.**

One gun may be fired, for setting the watch

33 Car. II. xxi. 12

Officers of vessels of war may seize foreign produce; and, when they do so, the

whole of the forfeitures and seizures are to go to the captors

29 Geo. II. iv. 2



**Merchandise.**

See CLAIMANTS--DUTIES--FIRE--FOREIGN produce--FOREIGN vessels--HAWKERS and  
pedlars--INTEREST--INVOICE--RECEIVERS of stolen goods.

**Merchant ships.**

Not affected by the drogging act.

31 Geo. III. iii. 13

**Merchants.**

Are not to sell slaves to or for maroons, under penalty of 100*l.* for each so sold

32 Geo. III. iv. 13

See BOARDS, plank, scantling, and ranging timber--BRITISH creditors--MANIFESTS--  
New negroes.

**Peine proteſt.** See BAIL-BONDS.

**Peine profits.** See WRITS of error.

**Pessenger of public diſpatches.**

Is not to ſend any diſpatch by a trooper, in time of martial law, under penalty  
of 100*l.*

32 Geo. III. x. 51

**Peſnuages.** See BREACHES of truſt, &c.--NULLA bona.

**Petheglin.**

A duty of 3*l.* per ton to be paid on importation.

1 Geo. II. i. 4

**Piddleſey.**

This county conſtituted, and declared to contain the pariſhes of St. Catherine,  
St. John, St. Dorothy, St. Thomas in the Vale, Clarendon, Vere, St. Mary,  
and St. Ann.

31 Geo. II. iv. 1

Crimes and offences committed in this county are to be tried at the ſupreme  
court as heretofore;

2

And damages, in actions ariſing here, are to be aſſeſſed, and iſſues joined be tried,  
in the ſupreme court

5

Informations originating here are alſo to be tried in that court.

12

If any perſon be found dead in the county gaol, the coroner's fees are to be paid  
by the public.

11 Geo. III. xv.

A purſe of one hundred piſtoles to be run for yearly in this county, on the firſt  
Thuſday in December.

30 Geo. III. xii. 6

**Pile-money.**

Not to be charged on writs of *venditioni exponas*.

33 Car. II. xxiii. 13

Not to be taken by marſhals for executing writs of execution or *venditioni exponas*

19

Ascertainment of diſtances, for which provost-marſhal is to charge on executing  
proceſs

8 Geo. II. v. 2

See MAROONS--MARSHALS--POUNDS--SLAVES.

**Military.**



**Military officers.**

Are to obey directions of firewardens, if present at any fire in Kingston; 22 Geo. III. xix. 8

And the same in Spanish-Town 28 Geo. III. v. 16

Are to assist in suppressing unlawful assemblies of slaves 32 Geo. III. xxiii. 22

**Militia.**

No person, from fifteen to sixty years of age, to remain unlisted, in either foot or horse, for six weeks, on penalty of 40 s. and the same for every six weeks they remain unlisted. But no person that has borne a commission is to serve in an inferior station, unless degraded. Foot-soldiers are to have a well-fixed musket or fuzee, or, if ordered, a good pike and sword, or lance and pistol; musketeers to have six charges of powder and a cartouch-box, and appear as appointed, under penalty of 10 s. for not appearing, and 4 s. for want of each charge of powder, gun, pike, sword, pistol, or cartouch-box. Cavalry to have a good serviceable horse, worth 10 l. a good saddle, holsters, breast-plate, and crupper, case of pistols, hanger, sword, or rapier, and half a pound of powder, under penalty of 10 s. for each absence, and 6 s. for each article deficient. Every foot-soldier to keep at his abode two pounds of good powder, and six pounds of sizeable bullet; every trooper a well-fixed carbine, belt, and swivel, four pounds of fine powder, and twelve pounds of sizeable bullets, on penalty of 10 s. for each default; to be brought into the field when commanded, or answered for at a court-martial 33 Car. II. xxi. 1

No person, without discharge, is to leave a company or troop, on penalty of 40 s. but no discharge is to be refused to a person who is removing to another precinct, under penalty of 5 l.

Captains of foot and horse are to provide drums, colours, trumpets, trumpeters, and banners, for their companies, at their own charge, under penalty of 10 l. and the same for every six months they remain unprovided. Colonels or commanding officers are to cause enquiries to be made yearly, by inferior officers, whether all persons be duly listed and equipped, and to make returns of defaulters, under penalty of 100 l. Companies and troops to be mustered every two months, or oftener, if ordered 4

While officers and soldiers are in arms, they are to obey the laws and articles of war, and pay obedience to superior officers; of which laws and articles the commanders of the regiments are to give out copies to their respective officers, to be publicly read every six months to the soldiers whilst in arms. If any officers or soldiers, when out of arms, endeavour to take revenge by force for any thing superior officers lawfully did, they shall be punished, as if it had been done in time of service or exercise, not extending to life or limb 5

Mustor-rolls to be given by captains to field officers, and by them to commander in chief, once a-year, or oftener, if required. Field-officers, or others, neglecting lawful commands of superiors, are to be punished by a court-martial appointed by commander in chief. If any person be wounded or disabled on an invasion, or other public military service, he is to be cured and maintained out of the public revenue 6



No soldier is to be arrested within one month after his discharge, nor in his going to or coming from the place of exercise or rendezvous, under penalty of 10*l.* on the marshal; and if any be arrested, commission officers may release their soldiers, and marshal be liable to an action for false imprisonment. 7

Fines on persons under degree of a captain are to go to the captains, to defray charges of their companies or troops, and be levied before the next exercising day by distress; if no distress found, delinquent may be punished by riding the wooden horse, or being tied neck and heels an hour; but if offender be a servant, owner's goods shall be liable to distress. Other penalties shall be levied by provost-marshal, by warrant from the commander in chief. 9

Commanding officer of each parish, or commanding officer of each troop or company, may sell gunpowder, not exceeding two pounds at a time, to each man under his command. 17 Geo. II. xvii. 6

No regiment, company, or troop, is to be ordered in arms on the day when representatives for their parish are to be elected, under penalty of 100*l.*

21 Geo. III. xv. 6

Men may be drafted out to suppress rebellions, when other party-men cannot be procured.

31 Geo. III. i. 5, 6

Commanding officers may, on such occasions, raise a sufficient number of slaves for arms or baggage, in proportion to the whole number on any estate; 7

But they must cause notice to be given, by warrant under their hands, at each estate, of the proportion of slaves required to be sent. 8

If able slaves be not sent, commanders may have the number of such slaves impressed, not taking chief boiler, head driver, or tradesman. 9

If officers or men, so drafted, are disobedient, they are to be adjudged according to the rules and articles of war then in force. 16

Every person, from the age of sixteen to sixty (except members of the council, speaker of the assembly, the chief justice, and those who have borne commissions and not been degraded), must, unless prevented by sickness or inevitable necessity, within four weeks, enlist in foot or horse, in the district where he resides, on pain of forfeiting 40*s.* or being committed to gaol for forty-eight hours; after which, the same penalties or punishments are to be repeated till he enlist. 32 Geo. III. x. 2

Clerks of vestries are, in fourteen days after each quarter-day, to send to the colonel or commanding officer a list of persons given in to save deficiency, under penalty of 20*l.* 3

Commissions and warrants for all forts (six excepted) annulled, together with those of persons removing from parishes where forts are situate; and the holders of warrants obliged to enlist, as if such warrants had never been granted them. 4

Forts, having no officer on pay, are to be subject to the commanding officer of the parish. 5

No commission is to be granted as aids-du-camp, or staff-officers, to any but such as already hold commissions in the militia, in rank not inferior to a captain. 6

Every foot-soldier is to be provided with a well-fixed musket and bayonet, and suitable accoutrements, and must, unless otherwise ordered, appear so armed and



and accounted on every muster and field day appointed by the colonel or commanding officer, under penalty of 40 s.

And they are, within three months after passing this act, to appear on the muster and field days in such uniform as the commanding officer shall appoint, under penalty of 3 l.

Every private of the horse is to be provided with boots and spurs, be dressed in the uniform of his troop, have a horse (his own property) of the value of 30 l. at least, with a good bridle, saddle, holsters, crupper, and breast-plate, good carbine and bucket, cartouch-box, a pair of good horseman's pistols, a broad sword, cross-belts, and swivel, and, unless otherwise ordered, must appear so on every muster and field day appointed by the colonel or commanding officer, under penalty of 3 l.

Every corps or company of artillery is to be attached to, and do duty with, the regiment or battalion they belong to.

No private is to remove from the horse to the foot without leave of his commander, or making oath of his inability to sustain the expence; but a private may go from the foot to the horse, when he shall have equipped himself, and made oath that the horse, arms, &c. are his own property; on which, the commanding officer is to give him a discharge, except in St. Jago de la Vega, Kingston, and Montego-Bay, where no one is to remove to the horse without leave from the governor. Each private is to be amenable to a regimental court-martial for offences committed previous to his discharge.

Colonels or commanding officers empowered to form the flank companies, by selecting such men as they think proper; and also to form the other companies.

No officer is to resign his commission without shewing sufficient cause; and if he refuse to do duty, he is to be degraded, and serve as a private.

If officers appointed to brevet rank refuse commissions, not inferior to their former regimental rank, they are to do duty under their former commission. But this is not to impeach brevet rank granted in any duties of the line, or with mixed corps.

Reformed officers are, by 1st May in every year, to give in their names, ranks, and dates of their commissions, to commanding officers, who are to make a general return to the commander in chief; and such officers are to accept commissions, not inferior to their former rank, on pain of being degraded.

No officer is to throw up his commission on account of any reformed officer receiving an appointment in the regiment, on pain of being degraded to the ranks.

Colonels or commanding officers of parishes are to appoint places for exercising one or more troops or companies of their regiments or battalions; and are to order them to be exercised by the captains, &c. once every month, under penalty of 50 l.

Captains, &c. are, in three days thereafter, under penalty of 10 l. to make a field-return to commanders of regiments or battalions; who are to make a return of the whole every three months, or within ten days after the general muster, under penalty of 100 l.

Commanders



Commanders in districts are to order general musters once in three months, under penalty of 100 l. Commander in chief may order them oftener; and, on emergencies, commanders of regiments or battalions may order musters at any time 19

Places for general musters are to be fixed by commanding officers of regiments, troops, or battalions; who are not to be liable to indictments or action, unless they appoint them in cultivated grounds 20

Officers and privates are to be secure in their persons and properties from mesne or judicial process, for twenty-four hours before they appear, and while they act, on any kind of military duty; and, if officer or private do not reside in a town, for forty-eight hours after. If any marshal contravene, he is to forfeit 100 l. for each offence, make reparation in damages, and such executions are to be void 21

Each private who absents himself from duty, without a sufficient excuse, approved of by the commanding officer in the field, is to forfeit, for the first offence, 20 s.; for the second, if committed in immediate succession, 40 s.; for the third, 5 l.; and every subsequent default, 10 l. to be levied by the marshal of the regiment; and if no levy can be made, the offender is to be committed to the common gaol for twenty-four hours for the first offence, forty-eight hours for the second, three days for the third, and six days for every subsequent offence. One of the white men belonging to each sugar plantation may be absent in rotation from military duty, in order to remain on such plantation 22

Officers who absent themselves from duty, without sufficient excuse, are to forfeit, a captain, 5 l.; a lieutenant, cornet, ensign, or quarter-master, 3 l.; a sergeant or corporal, 30 s.: And, on general musters, a colonel, 20 l.; a lieutenant-colonel, 15 l.; and a major, 10 l. If any subsequent and wilful default occur, officers are to suffer such censure or fine as a court-martial thinks proper 23

Privates of horse, foot, or artillery, appearing on duty, whose arms and accoutrements are not in good order, are to forfeit 20 s. or be imprisoned twenty-four hours; and those who disobey or insult their officers, are to be fined 5 l. or be imprisoned five days 24

The agent having been empowered to purchase arms and accoutrements for the militia, they are, when delivered, to be deemed the property of the plantation where each militia-man resides; and the proprietor, attorney, &c. is constantly to keep, in good order, a serviceable musket and bayonet, cross-belt, cartouch-box and belt, two flints, with a sufficient quantity of powder and ball, for each resident white man capable of bearing arms; which musket must be of the same kind and calibre with those supplied by the public 25

Each proprietor, attorney, or possessor, or their overseer or manager, and no other, must, at each quarterly vestry, give-in, on oath here specified, the number and condition of arms and accoutrements, and quantity of ammunition 26

Persons neglecting to give-in at every vestry, or in thirty days after, are to forfeit 20 l. and 5 l. for every stand of arms and accoutrements, or ammunition, deficient. If deficiency or neglect be owing to overseer, he must pay fines 27

Proprietors, &c. are to furnish militia-men on their properties with gunpowder for field-days, under penalty of 3 l. for each default 28



Militia-men in the towns, and free men of colour, having been once supplied with arms by the public, are afterwards to furnish themselves with arms, accoutrements, and ammunition, as well for service as field-days

29

No man enrolled in the militia is to save deficiency, unless the overseer make oath, that such man is armed, &c. as this law directs, and appeared so at the last field-day or muster; provided the man has resided three months on the plantation

30

Proprietors are to provide regimentals, once in two years, of the value of 5 l. for each militia-man residing on their properties, who do not receive above 50 l. *per annum*

31

Persons unemployed, and unable to provide regimentals, are to be supplied with them by the parish they belong to, to the same value; they making oath whether, and when, they were so supplied before

32

When several corps or detachments act together, horse is to take rank of infantry; when heavy and light horse act together, or jointly with infantry, the rank of the cavalry is to be ascertained by the date of the colonel's commission; and in like manner is to be ascertained the rank of different regiments or detachments of infantry

33

If any non-commissioned officer or white private man, in any engagement, lose a limb or eye, or be otherwise wounded, so as to be rendered incapable to serve in the militia, he is to be allowed an annuity of 70 l. while he resides in the island, and while he remains unable to do duty; and if a mulatto or free negro be wounded as above, he is to have 25 l. *per ann.* If any non-commissioned officer or private white man be killed in an engagement, and leave a widow or children, his widow is to receive, during her life, or that of the eldest child, an annuity of 70 l. but if she marry again, the annuity is to be for the use of the children, till the youngest attains the age of twenty-one

34

Arms, accoutrements, and regimentals, supplied by the parish or by employers, are not to be removed to other parishes, or other settlements

35

Governor may grant commissions to colonels, &c. to hold general or regimental courts-martial

36

One field-officer and twelve captains may form a general court-martial, and three commissioned officers a regimental one; and are to be summoned three days, inclusive, previous to holding the court

37

Officers not attending when summoned are to forfeit, for a general court-martial, 20 l. for a regimental, 10 l. unless prevented by some inevitable accident, or sickness certified on oath

38

Persons to be tried by a general court-martial are to have five days, by a regimental two days, notice, in writing, of the time and place, and of the charge against them. If they do not appear, or if they keep out of the way to avoid service of notice, they incur thereby the same punishment as they would if found guilty

39

Members of courts-martial must be sworn (in form here set forth) to determine without partiality, and not to disclose the vote or opinion of any particular member of the court, unless required in due course of law

40

Courts-



Courts-martial empowered to swear witnesses; and perjury in them is to be punished as when committed in other courts 41

No judgment is to be given in a court-martial but what has the concurrence of the majority of the members; and the judgment of a regimental court-martial, when pronounced by the president, is not to require any confirmation. In case of disobedience thereto, offender may be sent to gaol for six days 42

Judgments of a general court-martial (unless they extend to degradation) need not be confirmed; and disobedience thereto is to be punished as above 43

Colonel or commanding officer of each regiment or battalion of horse or foot is to appoint a marshal, who forfeits 10 l. for refusal to act 44

When an officer removes from one parish to another, he is to acquaint his colonel, who is to grant him permission in writing (directed to the colonel of the other parish), and inform the governor thereof; when his station may be filled up by a new commission. He is then to be enrolled in the parish he removes to, and do duty *en seconde* till a vacancy shall happen, when he is to come in as youngest of his rank, though, in all duties of the line, he takes rank from his first commission in such rank; and all inferior officers and soldiers are to obey him as their officer 45

General officers, field officers actually commanding regiments or battalions, and the field officers of such respective regiments or battalions in actual commission, are to be members of all councils of war 46

In time of martial law, commander in chief may remove militia, as he finds necessary; on which occasions, commanding officers of the regiments, battalions, troops, companies, or detachments, are to procure refreshments for their parties, not exceeding 5 s. for each man for twenty-four hours; and may impress wains, cattle, &c. giving certificates to persons supplying refreshments, as also to owners of wains, &c. 49

And they are not to be liable to prosecution for so impressing wains, &c. 50

Cavalry must carry expresses (under the like penalties as persons refusing to enlist), leaving those for Port-Royal with the main guard at Kingston, Passage-Fort, or Port-Henderson; but they are not to be posted out of their parishes, for the purpose of carrying dispatches, nor carry field-returns, muster-rolls, &c. relative to the foot-militia, unless they be directed to the governor. Every person sending a dispatch is to write his name on the outside of it; and no person is to send any dispatch by a trooper, which is of a private nature, under penalty of 100 l. for each offence; and the public messenger forfeits the same if he send dispatches by them 51

In the absence of a colonel or commanding officer from his district, the officer next in command is to have the like powers, and must exercise them under the like penalties 52

In martial law, delinquents may be tried without previous notice; privates may be immediately committed to gaol, and officers put under arrest; 53

And officers who do not attend on courts-martial, when summoned, may be tried by a court-martial 54

General issue may be pleaded, and taxed costs recovered 56

Officers



- Officers warrants for fines are to be directed to the marshal of the regiment, who is to have 25 *per cent.* and the fines are to be paid to the colonel or commanding officer, and be appropriated to buying drums, fifes, colours, standards, and trumpets. The overplus (if any) is to be paid to receiver-general annually 57
- Governor's warrants for fines are to be directed to the provost-marshal-general; who is to pay proceeds to receiver-general 58
- Adjutant is to keep an exact account of fines paid to the colonel or commanding officer 59
- Records of the proceedings of courts-martial, and of the receipts and applications of fines, are to be regularly kept by the judge-advocate, or his deputy, and be open to the inspection of every officer of the regiment 60
- Colonel or commanding officer of the regiment of foot, and captain or commanding officer of the troop of horse, in every parish, is to transmit to the clerk of the vestry, at least eight days before the quarterly days for giving-in, an exact account of all fines due, under penalty of 50 *l.* 61
- Crimes committed while 30 *Geo. III. cap. x.* was in force, are to be tried, and offenders punished, as if it were still in force 62
- This act is to continue in force till December 31, 1796 63
- Officers are not to pay twice for the same rank, on any change of the governor, or otherwise xiv. 1

*See LAWS and articles of war.*

**Milk-River.**

- A beam, pair of scales, and set of standard weights, to be kept here 23 *Geo. II. vi. 1.*  
*See STANDARD weights.*

**Mineral Springs.** *See BATH of St. Thomas the Apostle.*

**Ministers.** *See BENEFICED ministers--UNQUALIFIED ministers.*

**Ministers, poor, and churches.**

- Taxes are to be raised by justices and vestry (or by two justices, if churchwardens and vestrymen not chosen) for the support of ministers and poor, and for erecting and repairing churches, and making seats in them 33 *Car. II. xviii. 1*
- Rolls are to be delivered to the constables, who may levy, and retain poundage, as well as have allowance in cases of distraint 2
- Where no distress can be found in the parishes, an action may be brought; and producing the assessment is to be sufficient evidence. No person is to be assessed above 1 *s. per ann.* for every hundred acres of land 5
- Persons over-rated may appeal to court of quarter-sessions, who may relieve them, if appeal made by the second quarter-sessions after tax laid; but no appeal is to be made out of each respective parish 6

**Minors.**

- Their rights to real properties not defeated by five years possession, if actions brought in three years after attaining majority 10 *Gul. III. i. 1*



Such rights not defeated by seven years possession, if actions brought in five years after capable

10 Ann. xii. 1

They are not to be so defeated, if actions brought in three years

4 Geo. II. iv. 1

Cannot give good titles, though valuable consideration paid them

10 Ann. xii. 3

They may contest reputed boundaries, if suits brought within five years after they become capable

14 Geo. III. v. 2

If any guardian, trustee, lessee, or other person having possession of the estate of a minor, wilfully deliver up any of the minor's slaves to a marshal, or assist in, or consent to, their being levied on for satisfaction of writs to which they are not liable, such guardian, &c. is to be deemed guilty of a misdemeanor, and suffer such fine and imprisonment as judges of supreme court, or either assize-court, think proper

17 Geo. III. vii. 1

If a marshal should levy upon such slaves ignorantly, any judge of the grand court may, upon application by the guardian, &c. and on proof that the slaves are not liable for the debt, order them to be delivered back; or, if the claim be doubtful, may prevent the sale till it is adjusted in the grand court. If any guardian, &c. wilfully delay making such application, he is to be deemed aiding and assisting in the levy, and be punished accordingly

2

If no assistant judge be found within twelve miles of the place where levy made, the custos, or any judge of the common pleas, may act in the same manner as a judge of grand court. Notice being given to marshal, that the application has been made, or will be made in ten days, he is to postpone sale thirty days

3

They must not vote for representatives in assembly

21 Geo. III. xv. 17

They may bring actions to recover slaves that have been sold under *venditioni exponas*, in five years after capability

23 Geo. III. xiii. 1

See BREACHES of trust, &c.--HEIRS at law--LIMITATION--PUBLIC workhouses.

#### Misdemeanor.

See ASSIGNMENTS of bonds, and of judgments--MINORS--RECEIVERS of stolen goods--SALE of slaves under *venditioni exponas*.

Misnomer. See PATENTS.

Mistake. See CROWN lands--POSSESSION.

Madford, Sir Charles. See SALT.

Maney. See CURRENT coin--INTEREST--ISSUE of negroes.

#### Maney bills.

Surplusage of revenue arising by 1 Geo. II. cap. 1. is to be applied in aid of appropriations in them

28 Geo. III. xiii. 1

#### Montego Bay.

A beam, pair of scales, and set of standard weights, to be kept at this place

23 Geo. II. vi. 1

Justices



Justices and vestry of St. James's to purchase land, and erect a court-house in this town;

15 Geo. III. xxv. 2

Which they are to keep in repair out of the parish-tax

4

Rates of wharfage and storeage in this town, for sundry articles, regulated differently from those established for the whole island by 25 Geo. III. cap. v.

29 Geo. III. xx. 1, 2, 3

Lists of these rates are to be kept constantly in view at the weigh-house, under penalty of 40 s.

4

If larger rates are taken, offender is to forfeit 100 l.

5

Offenders may be imprisoned till they pay penalties;

6

Which are to go to the informer

7

Transient traders importing goods into the parish of St. James are to pay 1 per cent. on the original cost of their imports

31 Geo. III. vi. 2

Persons who carry goods into the parish for sale, and who do not pay taxes thereto, are to be deemed transient traders

3

Justices and vestrymen are annually to elect a collector of this tax, and settle his allowance, not exceeding 10 l. per cent. on the sum collected

4

Collector is to keep an office in Montego-Bay, where attendance is to be given from nine till two, of days for transacting business at the custom-houses

5

Transient traders are to attend collector within forty-eight hours after the arrival of goods, and make oath (in form here specified) to the value of their cargoes, and that they have not practised any collusion. They are also to pay the tax forthwith, or, if it exceed 5 l. to give bond, with one security, to pay it in thirty days, paying for such bond 2 s. 6 d. But if a transient trader, within the forty-eight hours, make oath before the collector, that he has already paid a parochial transient tax in some other parish, for the same slaves, goods, or merchandize, he is to be relieved. And if a transient trader has previously consigned his cargo to a resident trader, and, within the time aforesaid, make oath thereof, and has it corroborated by the oath of the consignee (both of which oaths are here set forth), collector may remit the transient tax

6

Collector is to administer the oaths *verbatim*, and in the most solemn manner

7

If transient traders do not attend collector, he is to summon them; and if they do not then attend, he is to give notice to any five of the magistrates, vestrymen, and churchwardens, by whom they are to be assessed according to the best information procured, not exceeding double what they ought to pay, for so much as may come to the knowledge of the five assessors. Assessment is to be levied, and goods sold by collector, he giving ten days notice of sale, and retaining 1 s. poundage; but assessment must not be made till oath given of transient traders having been summoned

8

If distraint cannot be found, three magistrates may fine transient traders, not exceeding 20 l. and immediately commit them to prison, there to remain till they pay not only the sum assessed as transient tax, but also the fine, and all incidental expences

9

All public taxes laid on transient traders in this parish are to be levied by the collector of the parochial transient tax, in the same manner, and subject to the same regulations and provisions

10



- Persons who swear falsely are to be punished as those are who are guilty of corrupt perjury in England 11
- Magistrates, churchwardens, vestrymen, marshals, or constables, who neglect their duty herein, are to forfeit 20 *l.* for each offence 12
- Churchwardens for the time being are to be a body politic and corporate, for the purposes of this act. General issue may be pleaded, and full costs recovered 13
- Leave must be obtained from the governor before privates in the militia can remove from the foot to the horse 32 *Geo. III. x. 11*
- It being necessary to put the fort here upon the public establishment, the commissioners of forts, fortifications, &c. are appointed commissioners, and authorized, jointly with the governor, to order the repairing and enlarging it. They may make contracts, and hire slaves, at an expence not more than 1000 *l.* xxxi. 1
- No money is to be paid for this purpose out of the fortification-fund, but by order of the governor and a *quorum* of the commissioners 2
- There are to be only one captain, one lieutenant, and two quarter-gunners 3
- Commissioners, with the governor, may direct the collecting materials for the use of the fort out of any person's land, making satisfaction 4
- See PORTS of entry and clearance--STANDARD weights.*

**Monuments.**

- May be erected in churches, as heretofore. 30 *Geo. III. xiii. 7*

**Moquant-Bay.**

- A beam, pair of scales, and set of standard weights, to be kept here 23 *Geo. II. vi. 1*
- Rates of wharfage and storeage in this town, for sundry articles, regulated differently from those established for the whole island by 25 *Geo. III. cap. v.*
- 27 *Geo. III. ii. 1, 2, 3*
- Lists of these rates are to be kept constantly in view at the weigh-house, under penalty of 40 *s.* 4
- If larger rates are taken, offender is to forfeit 100 *l.* 5
- Offenders may be imprisoned till they pay penalties; 6
- Which are to go to the informer 7

*See STANDARD weights.*

**Mortgages.**

- See LEVIES--MORTGAGES--POSSESSION--SALE of slaves under venditioni exponas--SATISFACTION.*

**Mortgagees in possession.**

- Not entitled to any commission but what shall be paid to factors 24 *Geo. II. xix. 8*
- May vote for representatives in assembly, if they have been in possession twelve months 21 *Geo. III. xv. 16*
- They are in future, under penalty of 500 *l.* for each omission, to record, upon oath, the whole accounts (giving credit for the nett proceeds of every crop, within eighteen months after they have recorded them), as well of the sales of

the



the annual crop, as of the accounts current respecting it, and to state how much thereof has been applied to the mortgages

25 Geo. III. x. 3

See BREACHES of trust, &c.--MORTGAGES--QUIT-RENTS.

**Mortgagers.**

May vote for representatives in assembly, unless mortgagee has been in possession twelve months

21 Geo. III. xv. 16

See MORTGAGES--SLAVES.

**Mortgages, in Aliens.**

Where action brought for money secured on mortgage, or ejectment or replevin for recovery of mortgaged lands, slaves, tenements, or hereditaments, no suit being then depending in chancery, if defendant, while action is pending, pay money and costs to mortgagee or his attorney, or, on their refusal, into court (principal, interest, &c. being ascertained by direction of the court), mortgage is to be discharged, and court may compel mortgagee, at charge of mortgager, to re-convey and deliver up properties and writings

25 Geo. III. x. 1

When bills filed or suits commenced in chancery, by persons claiming right in mortgaged lands, slaves, &c. to foreclose equity of redemption in failure of payment, and defendant admits right, court may make orders without a regular hearing; by which parties are to be bound. This act is not to affect cases where right of redemption is denied, where there are other incumbrances, nor where the right is disputed by different defendants; neither is it to prejudice subsequent incumbrances

2

Not to be affected by means of mortgagers taking the benefit of the insolvent act

28 Geo. III. viii. 10

See ALIENS--CREDIT of the island--LEVIES--LIMITATION--QUIT-RENTS--SATISFACTION.

**Mount Diablo.** See ST. ANN'S and St. Thomas in the Vale.

**Mulattoes.**

Not to officiate or be employed in public offices

10 Ann. iv. 35

No person is to be deemed a mulatto, who is above three degrees removed, in a lineal descent, from the negro ancestor exclusive

21 Geo. III. xv. 20

They must not be entrusted with the command of drogers

31 Geo. III. iii. 13

See FIREWORKS--FREE people--GAMING--HAWKERS and pedlars--ISSUE of negroes--SEA-COASTS--SLAVES.

**Mules.**

If any are suffered to run at large, infected with scab, mange, or farcy, the owner is to forfeit 50 l.

30 Geo. III. xii. 3

And if any having the glanders are knowingly turned into commons, &c. the owner forfeits 200 l.

4

Information being given before a magistrate, such beasts may be destroyed

5

See CATTLE--HORSE-STEALING, prevention of--HUNTING--POUNDS--SLAVES.

**Mum.**



**Dum.**

A duty of 3 *l.* *per* ton to be paid on importation

1 *Geo.* II. i. 1

**Muscobado or paneel sugar,**

A duty of 3 *s.* *per* *cwt.* to be paid on importation

1 *Geo.* II. i. 1

**Muster rolls,**

To be given by captains to field officers, and by them to commander in chief, once a-year, or oftener if required

33 *Car.* II. xxi. 6

See MILITIA.

**Mutual debts,**

Where there are mutual debts between plaintiff and defendant, or where, if either party sue or be sued as executor or administrator, there are mutual debts between the defunct and the other party, one debt is to be set against the other, and the matter be given in evidence, or pleaded in bar, according to the case; but, when general issue is pleaded, and any debt of the plaintiff, his testator or intestate, is intended to be proved, notice must be given of the particular debt, and on what account it became due

10 *Geo.* III. i. 2

Where the debt for which action is brought, or the debt intended to be set against it, arises from the penal sum of any bond or specialty, the debt intended to be set off is to be pleaded in bar, setting forth how much is justly due on either side; and if plaintiff recover, judgment is to be entered only for what appears due on the balance

See INSOLVENT debtors.

**Names of persons leaving the island,**

**A**RE to be up in the secretary's office twenty-one days

35 *Car.* II. i. 3

See TICKETS.

**Narrow wheels,**

See ST. CATHERINE'S and St. Mary's--ST. DOROTHY'S and Clarendon--ST. JAMES'S--ST. THOMAS in the Vale--SPANISH-TOWN road--WESTMORLAND.

**Passau.** See BARRACKS.

**Naturalization.** See ALIENS.

**Naval commander,**

A sum, not exceeding 2500 *l.* to be paid by the receiver-general, to commissioners, to be laid out by them in the purchase of a specified pen, pen-land, and buildings, in the parish of St. Andrew; which are to be vested in the crown, for the use of the naval commander for the time being

14 *Geo.* III. xi.

Is to be a member of all councils of war

32 *Geo.* III. x. 46

**Naval**



**Naval officer.**

- To keep his office at Kingston, under penalty of 50 *l.* for every month's neglect  
5 *Gul. & Mar.* iii. 3
- To continue his office at Port-Royal, under like penalty  
iv. 7
- Establishment of his fees, in 1711  
10 *Ann.* iv. 27
- Table of the fees allowed by this act is to be always open in his office, under penalty of 100 *l.* and if he take greater fees he forfeits the same, and becomes incapacitated  
34
- No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100 *l.*  
35
- To supply foreigners, on the governor's order, with necessaries, at the cheapest rates  
12 *Geo.* I. xi. 1
- If imported liquors turn sour in the first ten days, he is to grant a warrant of survey, and transmit return to receiver-general  
1 *Geo.* II. i. 2
- He is to register the names of the owners of all wherries, boats, and canoes, in the order they are brought, under penalty of 5 *l.* and to direct the numbering and marking such vessels, being paid 2 *s.* 6 *d.*  
15 *Geo.* III. xxiv. 2
- All droppers are to be registered in his office  
31 *Geo.* III. iii. 13
- He is, in time of war, to examine all vessels for arms and ammunition;  
xi. 3
- And proceed against those in which he finds any uncertified arms and stores  
5
- See DUTIES--PORTS of entry and clearance--SEIZING officers.*

**Naval or military stores.**

- Are not to be exported in time of war, without certificate  
31 *Geo.* III. xi. 2
- See ARMS, accoutrements, and ammunition--EMBEZZLEMENT of naval stores.*

**Navigation.**

- No grant to be valid that shall be prejudicial to it  
35 *Car.* II. xii. 1
- See SUPREME court.*

**Hosp.** *See GREENWICH hospital--PORT-ROYAL--PORT-ROYAL hospital.*

**Beast cattle.**

- A bounty of 30 *l.* to be paid on the importation, from Great-Britain or Ireland, of every bull weighing 1204 *lb.* not more than three years old; the money to be paid when the bull has been landed three months, on affidavit that he is then alive, and proof of the aforesaid weight  
30 *Geo.* III. xii. 9
- Persons who breed in this island any bulls weighing 1120 *lb.* are to have a bounty of 10 *l.* for each, on producing the necessary proofs  
10
- This act to continue in force till December, 1794  
13
- See CATTLE--HUNTING--POUNDS.*

**Negroes.**

- Not to officiate or be employed in public offices  
10 *Ann.* iv. 35
- Not to be offered or employed as pilots  
9 *Geo.* II. xi. 3
- In



In want of white men, governor may appoint negro pilots 10 Geo. II. iv. 4  
 Negroes are not to be entrusted with the command of doggers 31 Geo. III. iii. 13  
*See* FIREWORKS--FREE *people*--GAMING--HAWKERS and *pedlars*--ISSUE of negroes  
 --MAROONS--SEA-COASTS--SLAVES.

### Negro huts, houses, or hovels.

*See* KINGSTON--PORT-ROYAL--ST. JAGO de la Vega--SAVANNA-LA-MAR--SLAVES.

### Negro-towns. *See* MAROONS.

### Neighbours.

To have notice when land bordering on them is to be surveyed 35 Car. II. vi. 2  
*See* DIVIDING fences--NULLA bona--SURVEYORS.

### Pets. *See* FISH.

### New-comers.

Grant of 100 *l.* for their relief, to enable them to settle at Port-Antonio 8 Geo. I. ii. 14  
 Grant of 1000 *l.* to purchase lands for them 10 Geo. I. viii. 1  
 They are to be supplied with provisions, and accommodated for travelling 3  
 Those importing rum, sugar, tobacco, indigo, cocoa, ginger, or cotton, are to be  
 reimbursed duties they may have paid on entry, on proving, within three months  
 after arrival, their intention to remain here 1 Geo. II. i. 14  
 15,000 acres of land at or near Manchioneal harbour, and 15,000 acres at or  
 near Norman's Valley, re-vested in the crown, to be re-granted for the benefit  
 of new-comers only 9 Geo. II. iv. 1  
 Their passage hither to be paid, and that of their slaves to the number of twenty,  
 on their taking an oath that they intend settling on some of the lands hereby  
 granted 2  
 They and their slaves to be subsisted by the receiver-general, for twelve months,  
 to the number above limited 3  
 Each new-comer to have a patent for fifty acres for himself, fifty for his wife,  
 twenty for each child, fifteen for each other white person he brings, and ten  
 for each slave 4  
 Passage-money and subsistence to be repaid the public, at the end of seven years,  
 free of interest 5  
 Surveys to be made and enrolled 6, 7  
 They are to be exempted from patent-fees, from taxes for five years, and from  
 duties on slaves 8  
 They must not alienate, otherwise than by will, any lands, within seven years after  
 date of patents 9  
 Present proprietors of any of these lands, having paid their quit-rents, to be re-  
 paid by the public 10  
 Persons that have not resided here twelve months, and who have no lands, are to  
 be deemed new-comers 11

They



- They are to be exempt from actions for debt (not contracted here, in Great-Britain, or Ireland) for three years after their arrival; 12
- But must begin a settlement within three months from the date of their patents 13
- Appropriations for the purposes of this act 14
- The former acts not having ascertained in what manner settlements should be carried on, or what shall be deemed a settlement, those particulars defined 20 Geo. II. xv. 1
- If settlers leave or desert lands within seven years, they are to revert to the crown 2
- Commissioners for lands at Norman's Valley and Manchioneal appointed. They, and the commissioners for Portland, are to grant lands in their respective districts, under conditions. Governor to supply vacancies of commissioners 3

See BARRACKS - MANCHIONEAL - POSSESSION.

New Nanny-Town. See MAROONS.

New negroes.

- Need not be tolled 8 Gul. III. ii. 44
- No merchant, factor, supercargo, or consignee, of any cargo of slaves arriving here, is to expose them to sale on board the vessel in which they are imported; but procure a proper house, or covered inclosure or shed, which must be sufficiently aired and lighted, wherein they are to be arranged for sale, under penalty of 500 l. 32 Geo. III. xxxiii. 2
- The merchant or factor by whom sales are conducted must, on clearing the vessel, and paying the duties, make oath, under like penalty, that he has done his utmost to class and sell together mothers and their children, and brothers and sisters 3

Nine-pins.

- Not included among the games hereby prohibited 17 Geo. II. vii. 1

Non-residents. See ABSENTEES.

Norman's Valley. See NEW-COMERS.

North-east part of the island.

- Lands heretofore granted in a certain tract, described in an annexed plat, in St. Thomas in the East and St. George's, having been neglected, are to be resumed by the crown, unless quit-rents paid in thirty days, for the purposes of re-granting, upon specified conditions 8 Geo. I. ii. 1, 2, 3, 4, 5
- Cl. 2 of 33 Car. II. cap. xxii. for the jury being on the premises in matters of escheat, suspended for three years, and mode of escheats for these lands prescribed 6, 7
- Lands exonerated from arrears of quit-rents, patents from fees of office, 8
- And settlers from taxes for seven years 9
- Tract to be resurveyed, and fifty acres of land laid out for a town at Pattison's Point, wherem foot-land is to be granted 10

U

Receiver-



Receiver-general to pay the surveyors, and passage-money for settlers; whom he is to supply with provisions for six months	11
Road from Plantain-Garden-River to the River Grande to be cleared, at the joint charge of the parishes of St. Thomas in the East and St. George	12
Certain parcels of land to be purchased by commissioners, and vested in the crown, to be re-granted, like forfeited lands, under limitations	13
Grant of 1000 <i>l</i> for relief of persons already come to settle at Port-Antonio	14
Such part of the 30,000 acres as is not already vested in the crown, vested in it hereby, 5 <i>s.</i> per acre being allowed for such lands as have been already granted	9 Geo. I. viii. 1
Receiver-general to inspect deeds, &c. and settle disputes. His decrees, which must contain particular descriptions, to be registered, and be conclusive	2
Refused lands to be paid for, deducting quit-rents	3
Such decrees to be published, on application, under penalty of 1000 <i>l</i> . Interest of 12 per cent. to be paid to such proprietors whose payments are delayed	4
Twenty acres of Ruther's or Lynch's Island, and such other parcels of land as will make up 30,000 acres, vested in the crown, to be granted under conditions	5
Fifty acres at Pattison's Point, with the twenty acres on Ruther's or Lynch's Island, allotted for a town or towns, wherein foot-land is to be granted, under conditions	6
Two hundred and fifty acres, adjoining the piece intended for a town at Pattison's Point, to remain as a common	7
Surveyors to ascertain boundaries of the 30,000 acres, lay out the 50 acres on Pattison's Point, the 20 acres on Ruther's or Lynch's Island, and the 250 for a common. Survey (in which is to be expressed the several grantees or patentees of lands within the 30,000 acres) to be recorded, and be binding in all particulars	8
Commanding officers in St. Thomas in the East and St. George's to send out of each parish twenty negro men to attend the surveyors	9
Soldiers of the independent companies to be sent out as a guard for the surveyors. Surveyors, soldiers, and slaves, to be provided for. In cases of death, recruits and slaves to be paid for	10
Other lands in the tract to be vested in the crown, in default of payment of quit-rents, or in default of making settlements on each parcel within two years after twenty settlements are begun on the 30,000 acres, to be granted under the same conditions as the 30,000 acres	11
New settlers in the tract are to be free from all taxes for three years	12
1000 <i>l</i> . appropriated to the purchasing lands to be granted to new-comers	10 Geo. I. viii. 1
Receiver-general empowered to borrow 1500 <i>l</i> . for purposes of this act	2
New-comers to be supplied with provisions (deliverable at Port-Antonio), and accommodated for travelling	3
The tract of land, herein described, declared a distinct parish, by the name of Portland	4

See PORTLAND.

Northern colonies. See AMERICA--CLEARANCES.

Notes.



**Notes.** See SECURITIES for money.

**Quisances.** See HIGHWAYS.

**Nulla bona.**

When it is returned, in matters adjudged in supreme court, plaintiff may issue a writ for sale of defendant's lands, in the form here directed 24 Geo. II. xix. 4  
Before provost-marshal executes it, he is to have instructions in writing from plaintiff, upon what messuages, plantations, lands, and tenements, he shall seize: And plaintiff must not direct any set of works, capital messuage, &c. to be valued, unless the whole of the cultivated lands usually occupied therewith be included in the property assigned for valuation 5  
Fourteen days notice of the writ of extent must be given to defendant, and a jury of neighbouring planters or freeholders be summoned to value the lands, &c. which plaintiff, or any other person, may take at the valuation. But if defendant, within six months, pay to plaintiff, &c. the amount of such valuation, with interest, he is to be reinstated, paying all expences. No rights of prior incumbrancers, nor of any other persons but defendants, are to be affected by such writs. If there be several executions of concurrent right, property is to be for the common benefit. This act is not to debar any plaintiff from the benefit of the writs of execution and *venditioni exponas*, or other writs, for recovery of monies, either before or after issuing such writ 6

See PROCESS.

**Numbers.** See LOTTERIES.

**Puncupative wills.** See DEVISES of slaves.

**Duties.**

**T**O be taken by persons making return of certificates of fines, forfeitures, issues, &c. 8 *Gul. III. i. 6*  
By commissioners for preserving the public records 11 *Ann. iv. 2*  
By masters or boatswains of merchant vessels, when Madeira wine imported 1 *Geo. II. 3*  
By the captain of Fort-Charles, respecting receipt and expenditure of gunpowder 7  
By masters, mates, supercargoes, or merchants, on delivering manifests to receiver-general 8  
By new-comers 9 *Geo. II. iv. 2*  
By masters of vessels, respecting hire of slaves ix. 5  
By pilots, previous to obtaining certificates xi. 1  
By inhabitants of Portland, or their representatives, respecting the number of their white men and slaves 11 *Geo. II. v. 4*  
By retailers of gunpowder 17 *Geo. II. xvii. 1*



By rectors of St. Andrew's parish, respecting leases of glebe-lands	18 Geo. II. viii. 4
By assay-masters	20 Geo. II. xvi. 6
By masters of vessels trading to the northern colonies, previous to obtaining clearances	29 Geo. II. iv. 4
By clerk of the crown, and clerks of peace and inferior courts, before delivery of estreats	1 Geo. III. xiii. 3
By voters for annual trustees of Vere free-school	13 Geo. III. xv. 4
* By freeholders who vote on a landed property, at elections for representatives; by those who vote on a * rent-charge;	21 Geo. III. xv. 9
By those voters who are thought to be under age;	17
And by members of assembly, before taking their seats	19
To be taken by the firewardens of Kingston	22 Geo. III. xix. 6
By defendants, or their representatives, in order to prevent marshals from removing levies which are subject to prior incumbrances	23 Geo. III. xiv. 1
* By wharfingers, some day in January annually	25 Geo. III. v. 8
* By transient traders at Kingston, when over-assessed; or when they * consign their cargoes to an inhabitant; and that to be taken by * consignees, in corroboration of the last-mentioned oath	26 Geo. III. xiii. 1
By the firewardens of Spanish-Town	28 Geo. III. v. 14
* By insolvent debtors, respecting the truth of their schedules, &c.	viii. 3
* And by those who have neither property nor demands to insert in a schedule	4
* By principals, on giving-in accounts of lands;	29 Geo. III. xii. 2
* And by mortgagees in possession, guardians, or other agents	8
* Addition to the above oath, respecting lands aliened since last giving-in	30 Geo. III. xiv. 2
* To be taken by owners of lands, or their agents, on surrendering them, to avoid payment of quit-rents	29 Geo. III. xii. 4
* By persons applying for grants of lands which have been surrendered	5
By transient traders at Montego-Bay, on arrival of cargoes for sale; on having previously consigned their cargoes to a resident trader; and that whereby * consignee must corroborate the last-mentioned oath	31 Geo. III. vi. 6
By surveyors of land, on certifying a new surveyor's abilities;	xxii. 1
On presenting their bills to be taxed;	12
And on being appointed in cases of ejectment	16
To be taken by proprietors, attornies, or possessors, or their overseers or managers, on giving-in for arms, accoutrements, and ammunition	32 Geo. III. x. 26
By members of courts-martial	40

*\* Provisions are made herein, that quakers may affirm.*

#### Obeah.

Any slave who shall go under the appellation of an "obeah man or woman," pretending to have communication with evil spirits, in order to favour rebellious purposes, is to be hanged, transported, or otherwise punished, at discretion of the court;

32 Geo. III. xxiii. 44

As are those who give any poisonous drug in the practice of obeah

15

Obligatoꝝ



**Obligatory writings.***See* CREDIT of the island--FORGERY--LIMITATION--WRITS of error.**Obligees.** *See* ASSIGNMENTS of bonds, and of judgments.**Officers.**Those who may be concerned in drawing and passing patents are to attend the next Tuesday before each grand court; 2 Ann. vii. 1And are to forfeit 500 l. each, if they neglect duties herein required 17*See* MEN of war--MILITARY officers.**Old Harbour.**

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

*See* BARRACKS--ST. DOROTHY'S--STANDARD weights.**Onus probandi.** *See* CLAIMANTS--FOREIGN produce.**Ozabessa.**

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

*See* BARRACKS--STANDARD weights.**Orders for land.** *See* POSSESSION.**Orders for money.** *See* SECURITIES for money.**Orders for survey.** *See* SURVEYOR-GENERAL--SURVEYORS.**Ordinary.**Fee for every oath taken before him 10 Ann. iv. 22To appoint what security executors shall give for returning inventories of testators estates, and the time for their delivering such inventories; as well as to grant a *dedimus* for examination, when necessary xviii. 1*See* BISHOP of London.**Original records.**Are to be preserved, although transcripts be made 11 Ann. iv. 2, 3**Orphans.**Leases of their lands may be granted by their guardians for the term of their minority. But powers given by their parents to their guardians are not to be contradicted or altered hereby 33 Car. II. xii. 8Their lands are not subject to forfeiture for want of being settled, or for non-payment of quit-rents 8 Gul. III. i. 2

Guardians, or others empowered to lease out any orphan's estate, are to take sufficient security of lessees, for making good or returning their slaves and personal property,



property, and to annex schedules to such leases; which must be recorded within three months, or be void

10 Ann. xviii. 2

See HEIRESS--HEIRS *at law*--MINORS.

#### Overseers.

They are not, unless they have leave from their employers, to quit estates on negro holidays, under penalty of 5 *l*.

32 Geo. III. xxiii. 71

See GAMING--INCREASE *of slaves*--LEVIES--MILITIA--QUIT-RENTS--SLAVES.

#### Overseers of workhouses.

Are to have a moiety of the penalties inflicted for laying nuisances on the highways

29 Geo. III. xiv. 1

They are, on receiving information in writing, to cause dead horses, &c. to be removed out of roads, if found within three miles of the town in which workhouse is situate, under penalty of 5 *l*.

3

See PUBLIC workhouses.

Owners of land. See LANDS--QUIT-RENTS.

#### Owners of slaves.

Must, previous to manumitting them, by will or otherwise, give security that they

shall be allowed 5 *l*. *per ann.* for life

15 Geo. III. xviii.

May be evidence, in cases of inveigling, although they prosecute

29 Geo. III. iii. 18

Are not to hire slaves out to themselves

33

To be paid 1 *s*. 10  $\frac{1}{2}$  *d*. *per day* for each slave taken out on parties

31 Geo. III. i. 10

To have compensation if slaves lose life or limb when on parties

13

They must have sufficient notice of trial, when their slaves are under accusation of felonies, &c.

32 Geo. III. xxiii. 55

Are not to permit slaves to keep horses, &c.

63

If they detain or conceal any of their slaves against whom warrants are issued, they forfeit 100 *l*.

66

See PUBLIC workhouses--SALE *of slaves under venditioni exponas*--SLAVES.

Oxen. See CATTLE--POUNDS.



**Packet-boats.**

**E**XEMPTED from the duty of gunpowder 4 Ann. iv. 3

**Papists.**

An act respecting them, passed in 1729, repealed 3 Geo. II. xii.

**Parents.**

Powers given by them to the guardians of their children are not to be contradicted or altered by its being herein declared, that leases granted by guardians shall be valid during minority 33 Car. II. xii. 8  
May have their children educated in St. Andrew's free-school, by settling thereon 7 Gul. III. i. 1  
5 l. per ann. or paying 50 l. currency

**Parishes.**

Confirmation of the names of those now laid out 33 Car. II. xviii. 12  
Kingston constituted a parish, from St. Andrew's 5 Gul. & Mar. iii. 1  
Westmorland made a parish, from St. Elizabeth's 2 Ann. i. 1  
Patents and plats for each parish in the island are to be copied into separate books 11 Ann. iv. 3  
Hanover constituted a parish, from Westmorland 10 Geo. I. v. 1  
Portland erected into a parish, from St. George's and St. Thomas in the East viii. 4  
Commissioners to be appointed in each parish, for taking affidavits to be made use of in grand court 14 Geo. II. iii.  
Freeholders to be summoned yearly in each, to choose churchwardens and vestrymen; 22 Geo. II. xvi. 2  
When vestries are to elect waywardens 3  
In those which are distant from the county gaols, and gaols are found necessary, one or more may be erected or purchased 14 Geo. III. vi. 1; 16 Geo. III. xix.  
In those which have no church, parsonage-house, or burial-ground, or where bridges are wanting on the roads to church, justices and vestry may raise 5000 l. for purchasing lands, and for erecting bridges 14 Geo. III. xiii. 1  
Where there are glebe-lands, they are to be, on application of the rector, ascertained at expence of the parish 2  
When taxes laid for the several purposes above mentioned, a roll is to be delivered to the collecting constable, with a warrant, signed by two justices, empowering him to levy or distrain for them 8  
The custos, representatives in assembly, churchwardens, and rector, of any parish, are to be commissioners for carrying this act into execution 4  
Trelawny constituted a parish, from St. James's xxxi. 1  
Churchwardens of each parish for the time being incorporated, for the purpose of recovering taxes 15 Geo. III. viii. 3  
Transient poor are to be removed from parish to parish, at the expence of each, till they are conveyed to the public hospital in Kingston 17 Geo. III. xxxi. 3  
Constables to be hired (except in Port Royal, St. Catherine's, and Kingston) on or before the 31st of March in every year 18 Geo. III. xvii. 1

Repre-



Representatives are not to be elected for any two parishes on one day 21 Geo. III. xv. 3

When a representative of any parish dies, the custos or chief magistrate is, under penalty of 50 l. to notify it, within fourteen days, to the speaker of the assembly 30 Geo. III. i. 1

A pound for securing stray horses, horned cattle, &c. may be established in each 32 Geo. III. v. 1

Justices and vestry, or justices, or vestrymen, are yearly, between 1st January and 25th March, to send two lists of inhabitants of their parish to chief justice, for panels of jurors to be formed xvii. 8.

See ASSEMBLY, house of--ASSIZE of bread--CHURCHWARDENS and vestrymen--GAOLS  
--MILITIA--PARTIES--PRECINCTS--PUBLIC workhouses.

#### Parochial officers.

Their fees to be fixed by justices and vestry 10 Ann. iv. 34

Days for electing them in the different parishes 22 Geo. II. xvi. 2

If any churchwarden or vestryman die or leave the island, freeholders are to be called in thirty days to elect another 15 Geo. III. viii. 1

Parochial taxes. See COLLECTING constables.

Parol agreement. See CREDIT of the island.

Parol demise. See RENTS.

#### Parsonage houses.

Land to be purchased for erecting them on, in parishes where there are none

14 Geo. III. xiii. 1

See BENEFICED ministers.

#### Parties.

Colonel or commanding officer of every regiment or parish, on receiving notice of any considerable number of negroes run away, or in rebellion, is to raise and send out such parties of men as he thinks necessary 11 Gul. III. ii. 1

Their pay, besides plunder, as settled in 1699. They are to use their utmost endeavours to pursue, take, and destroy, all such negroes, not only in their own precincts, but in any adjoining precinct, till the commission officers of the precinct where they are have notice to raise another party; and they must not return home till they have either reduced the negroes, another party is raised, or they have been out a month. They are to be paid out of the revenue.

Officers and men, who disobey superiors, are to be punished accordingly 2

After notice given of an election for representatives of any parish, no freeholder is (unless there be actual danger) to be sent out on a party till election be over, under penalty of 100 l. 21 Geo. III. xv. 6

Commander in chief, or any field officer commanding a regiment of militia (acting under the governor's special commission) empowered to raise and fit out parties 31 Geo. III. i. 1

Besides



- Besides plunder taken from rebellious slaves, parties are to have 15 *l.* for each rebel they kill, 20 *l.* for each they take alive, and 40 *s.* for each boy or girl (under fourteen) they take alive; which sums are to be paid to the commanding officer of the party by the churchwardens or collecting constable of the parish the party belongs to, out of the deficiency or any other public tax; or, if there be not money in their hands, the receiver-general is to borrow money at 8 *per cent.* and supply churchwardens or collecting constables with sufficiency for payment of such parties. When any rebellious negro, mulatto, or Indian, is killed, the commanding officer, or any two officers of the party, are to view the body, and certify the age, quality, sex, and mark, of such negro, &c. and order the head to be severed from the body, and brought to the first settlement they come to, and left there. Each commanding officer of a party is likewise to give notice thereof to the commanding officer of the militia of the parish, or, on neglect, the party is not to be allowed the aforesaid rewards
- One third of the rewards is to be equally divided among the commissioned officers; the remaining two thirds are to be divided into equal shares, and each private white man have two shares, and every negro, mulatto, or Indian shot, one share; which the commanding officer is to pay, as soon as he receives it from the churchwardens or collecting constable
- Every rebellious negro, mulatto, or Indian, taken alive, is to be tried by two justices and five freeholders; the major part of whom, one whereof to be a justice, is to adjudge the convict either to suffer death or be transported, as they judge proper
- If a sufficient number of effective men be not raised under the above encouragements, the commanding officers of the militia, in those parts of the island where a rebellion occurs, may draft men out of their regiments and troops;
- And the commander in chief may order drafts from any other regiments of horse or foot, as necessary
- Commanding officers of the militia may raise a sufficient number of slaves, for arms or baggage, in proportion to numbers on estates,
- Giving written notice, at each estate in the district, of the number required; and the shewing such notice or warrant to the person having charge of the estate is to be deemed sufficient warning;
- And if able slaves be not thereon sent, defaulters are to forfeit 20 *l.* and commanders of militia may have the number impressed, not taking any chief boiler, head driver, or tradesman
- The daily pay of parties is to be, commanding officers, 10 *s.*; other commission officers, 7 *s.* 6 *d.* each; sergeants, 3 *s.* 9 *d.*; private white men, 2 *s.* 6 *d.*; free people, Indians, or slaves, 1 *s.* 10  $\frac{1}{2}$  *d.*; which pay is to commence from the day they are employed, continue till they are discharged, and be paid to the commanding officer of the party by the churchwardens or collecting constable of the parish; such commanding officer first delivering to them a muster-roll, upon oath, of the officers and men who have been in actual service under him
- Commander in chief may appoint persons to supply parties with provisions, which the receiver-general is to pay for



Commanders of parties may impress carriages and cattle, giving (under penalty of 20 *l.*) certificates of the time they were employed, damages they have received, &c. which the receiver-general is also to pay for 12

If any slave taken out on a party be killed, the owner is to be paid a sum not exceeding 100 *l.*; and if any one be disabled by loss of limb, the owner is to receive the valuation (less than 100 *l.*) made by two justices of the parish; which the receiver-general is to pay, on a certificate being produced to him from the commanding officer of the party 13

Arms are, if necessary, to be furnished to parties by receiver-general; the value whereof is to be deducted from their pay and rewards 14

Officers and privates are to be tried for offences by general or regimental courts-martial, appointed by the commander in chief, according to the rules and articles of war that may be in force 15

Officers and privates of the militia drafted on parties, and refusing to repair to their colours, or being otherwise disobedient, are to be tried in the manner above stated 16

No person is to be arrested, or slave levied on, while employed on parties, nor in thirty days after. If a person be arrested, any justice of the parish may release him 17

If any commanding officer of a party, or any justice of peace, refuse or neglect their duty herein, they are to forfeit 50 *l.* for each offence 18

This act is to be in force till 31<sup>st</sup> December, 1793 20

See MAROONS.

#### Partition.

In partitions to be made by writ, where the provost-marshal cannot attend in person, he may appoint some person residing near where the lands, &c. lie, to make partition, in his stead, in the presence of one or more justices of peace; which partition is to be effectual, and final judgment be given thereon, the provost-marshal returning such writ, with the execution thereof, specially to the court 32 Geo. III. xvii. 19

See SUPREME court--WRITS of error--WRITS of partition.

#### Partnerships.

Those between attornies, solicitors, &c. must be recorded, and each name in the firm be indorsed on all writs or other business. 4 Geo. III. viii. 4

Passage. See GAMING.

#### Passage-Fort.

Twelve pence *per* ton to be paid on all goods landed on or shipped from the bridge there; 33 Car. II. xiv. 1

Which the churchwardens of St. Catherine's are to keep in repair, under penalty of 10 *l.* each 2

They are to appoint a person to collect the duty; who may detain goods refused to be paid for 3

Clerk.



- Clerk of the market of Spanish-Town to prove the weights, used at the wharves here, every two months 23 Geo. II. vi. 4  
 Bills of lading to be given for goods sent to and from Kingston 31 Geo. III. iii. 14

**Patents.**

- To be enrolled within six months after they are sealed 33 Car. II. xii. 7  
 Corner-trees of lands patented must be marked with the initials of the patentees names 35 Car. II. vi. 1  
 Being granted under the great seal, and recorded, they are declared good titles to all lands, houses, tenements, &c. Keeper of the seal, or chancellor, the next Tuesday before each grand court, is to have those in office sealed 2 Ann. vii. 1  
 No misnomer, misbounding, mistaking of quantity, or other error, is to prejudice patentees rights to lands 2  
 When mistake in quantity appears, a re-survey is to be made by one surveyor, a confirmation of the grant issue, reciting the error, and reserving rent according to quantity found; but no retrospect is to be had for what rent ought to have been paid, more or less 3  
 If it happen that two or more patents be granted for the same lands, they are to be held under the prior patent 10 Ann. xii. 1  
 Patents for lotteries declared contrary to law 17 Geo. II. vii. 10  
*See* ALPHABETS--ESCHEATS--FORFEITED lands--IRREGULAR grants--POSSESSION--QUIT-RENTS--RECORDS--REGISTER in chancery, and clerk of the patents--SURRENDER of lands.

**Pattison's Point.**

- A town to be built there, and be called Titchfield 10 Geo. I. viii. 4  
 Fifty acres of land added to the fifty before allowed for building the town 12 Geo. I. x. 3  
*See* NORTH-EAST part of the island.

**Pawns.** *See* RECEIVERS of stolen goods.

**Payments.**

- Nothing but current coin to be a good payment in law, unless both parties agree for payment in sugars, or other produce 24 Geo. II. xix. 9  
 The coins described in cl. 5 of this act are to be legal tender in all payments 14 Geo. III. xviii. 7

**Peak-Bag.**

- A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1  
*See* STANDARD weights.

**Penal mulct or punishments.**

- No ecclesiastical law or jurisdiction is to establish any in this island 33 Car. II. xviii. 11

**Pens.** *See* BREACHES of trust, &c.--DIVIDING fences.



Permanent revenue. See REVENUE.

### Permits.

Are not to be granted for landing goods, on which duties are payable, till certificates are obtained and filed in manner herein prescribed. 28 Geo. III. xv. 1.

### Personal actions.

If debt or damages do not amount to 40 s. the costs must not be awarded or taxed at more than the debt or damages, but may be at less. 1 Geo. III. xxi.  
See WRITS of error.

Personal estate. See EXECUTORS--ISSUE of negroes--ORPHANS.

### Persons leaving the island.

No persons are to have tickets to leave the island, without their names have been up in the secretary's office one and twenty days, and they each bring a person of good repute to make oath, before a justice of peace, that he has known them go by the name put up for a year, or so long as they have lived in the island, or else give good security for paying their debts. If bonds, so given, become forfeit, they must be sued within two years, or be void. 35 Car. II. i. 3.  
Such bonds are to be taken in the king's name, but are to be only for the use of persons concerned; and when any of them is put in suit, and judgment obtained, the judgment shall remain as bonds were, and no execution issue till person aggrieved, by *scire facias*, or other process, summon person against whom judgment is obtained, to shew cause why execution should not issue; and if plaintiff in *scire facias* duly prove his damages and obtain a verdict, judges shall award execution for so much as jury then find; and the former judgment is to remain cautionary, for satisfaction of other damages legally proved. 4.

See EXAMINATION of witnesses--INDEBTED persons.

### Petty constables.

May serve warrants of attachment, in matters not exceeding 40 s. 33 Car. II. xxiii. 9.  
They are to convey the poor, as well as vagabonds, to the parishes they belong to, under penalty of 40 s. 35 Car. II. xi. 2.  
Their fee for serving warrants 10 Ann. iv. 17.  
They are to forfeit 20 l. if they neglect taking up negroes, &c. throwing fireworks 6 Geo. II. xiii. 1.

Vestries of the several parishes (except Port-Royal, St. Catherine's, and Kingston), are, on or before the 31st of March in each year, to hire able men to serve as petty constables, and to pay them, out of the parish-tax, such sum as they think necessary. 18 Geo. III. xvii. 1.

In cases of their death, &c. vestries may supply vacancies; they may also discharge constables for misbehaviour (paying them to the time), and fill up their places. If vestries do not hire good and sufficient men, or a proper number,

the



the justices in sessions are to appoint them, fix their salaries (payable out of the same fund), and supply vacancies. If constables so appointed misbehave, vestries may discharge them

2

Are, if necessary, to make affidavits that owners, &c. of lands, have had due notice to give-in for them

24 Geo. III. xi. 13

They are to forfeit 100 l. for each refusal or neglect, contrary to the meaning of this act

24

Must, when writs of assistance are directed to them, aid officers of customs in seizures, under penalty of 200 l.

28 Geo. III. xv. 6

Are to execute all warrants, &c. respecting forcible entry and detainer, that come to their hands during martial law, under the same penalties and punishments as if it were not in force

31 Geo. III. ii. 3

Are to forfeit 5 l. if they do not, when required, execute distress warrants issued against effects of pound-keepers

32 Geo. III. v. 4

If they do not use their best endeavours to apprehend persons hereby deemed rogues or vagabonds, it is to be deemed a neglect of duty

xi. 4

If they suffer slaves to escape out of their custody, who have been committed for offences, and the slaves remain out two years, each constable so offending is to forfeit 20 l. and may be sued for the slaves value

xxiii. 74

See ASSEMBLY, house of -- MAROONS.

Pharaoh. See GAMING.

Piemento.

To be weighed, if required, at public wharves, weight entered in a book, and receipt given

11 Ann. iii. 7

Pilots.

No person is to act as a pilot without obtaining a certificate from commissioners, and taking an oath, before the custos of Port-Royal or Kingston, or two magistrates thereof (who are likewise to give a certificate of the same), that he will pilot all vessels, entrusted to him, to the best of his knowledge, and will not undertake to navigate where he is not well acquainted; under the penalty of 500 l. and a year's imprisonment, for acting without such qualification 9 Geo. II. xi. 1

Governor to appoint seven experienced masters of merchant ships, and other vessels, to be commissioners

2

No person to employ a negro, or to offer a negro, as a pilot, under penalty of 50 l.

3

Masters of vessels are to take the first pilot that offers, or pay the fee, if he offer at a league to the eastward of Plumb-Point, or at the same distance beyond any quay or shoal without that or any other harbour, port, &c.

5

Rates of pilotage

6, 8

Those of Port-Royal and Kingston, at their own charge, are to buoy or stake out the channel between those harbours, and keep them in repair, under penalty of 50 l.

7

They are to do the above business within three months

10 Geo. II. iv. 2

Foreign vessels must have them in passing between Port-Royal and Kingston, or pay the fee

9 Geo. II. xi. 8

All



- All pilots exempted from parochial or public duties, militia only excepted 9  
 Governor may appoint them, without the certificate required by 9 *Geo. II. cap.*  
 xi. if they have taken the oath, and are otherwise qualified as therein directed  
 10 *Geo. II. iv. 1*
- They must, to entitle themselves to pilotage, attend a league at least to the east-  
 ward of Yallah's Bay 3
- Until there be a sufficient number of qualified white pilots, governor may appoint  
 negroes, for whose ability the master shall be answerable 4
- Droggers and turtlers are not obliged to have pilots. Differences arising between  
 them and commanders of vessels, are to be determined by two justices of Port-  
 Royal or Kingston 5

**Pioneers.**

- Certain slaves may be taken from the workhouses, to serve as such, for the light  
 dragoons 32 *Geo. III. xxxv. 1*

**Pipes of wine.**

- Each is to contain not less than 120 gallons 11 *Geo. III. xi.*  
 In payment of duties, previous to gauging, each is to be estimated to contain as  
 above 28 *Geo. III. xv. 2*

**Piracies.** See ADMIRALTY, court of.**Pirates.**

- Three fourths of all losses sustained by their means are to be made good by the  
 public 11 *Geo. I. viii. 1*

See PRIVATEERS and pirates--SEA-COASTS.

**Plaintiffs.**

- If any plaintiff cause a freeholder to be arrested, he is to pay such freeholder  
 20 l. 33 *Car. II. xxiii. 6*
- To be paid monies arising from sales under *venditioni exponas* in ten days after  
 they have been made 13
- Although body of defendant be taken in execution, if any effects afterwards ap-  
 pear, plaintiff may take out another execution, and levy on them 16
- Plaintiff, or his clerk in court or attorney, &c. must indorse every writ of execu-  
 tion or *venditioni exponas*; but if he indorse it, or direct them to indorse it,  
 for more than is really due, he forfeits 100 l. 8 *Geo. II. v. 11*; 24 *Geo. II. xvi. 1*
- He, or his attorney, executor, or administrator, must, in six months after re-  
 ceiving payment of judgments, authorize clerk of grand court to enter satisfac-  
 tion, under penalty of 100 l. 14 *Geo. III. xxviii. 14*
- See BAIL-BONDS--BILLS of exchange--COURTS of assize--CREDIT of the island--GE-  
 NERAL issue--INDORSEMENT of writs--INSOLVENT debtors--MUTUAL debts--  
 NULLA bona--PROCESS--SATISFACTION--SUPREME court--WRITS of error--  
 WRITS of replevin.



**Plank.** See **BOARDS**, plank, scantling, and ranging timber.

**Plantain-boats.**

Not affected by the drogging act

21 Geo. III. iii. 13

**Plantain-Garden-River.**

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

See **BATH of St. Thomas the Apostle**--**STANDARD weights.**

**Plantain-walks.** See **FIRE.**

**Plantation goods.**

To be weighed, if required, at public wharves, weight entered in a book, and receipt given

11 Ann. iii. 7

See **CLEARANCES**--**PUBLIC wharves.**

**Plantation provisions.** See **ENGROSSING and forestalling.**

**Plantations.**

Those bounding on savannas, highways, watering-places, and pastures made out of wood-land, are to have sufficient fences; which shall be judged by three freeholders

33 Car. II. x. 1

No fire is to be carried, or tobacco smoked, in any plantation, under penalty of 10 s. and making good damages, or having corporal punishment. But owners may carry fire in their own plantations, or burn their own savannas; being liable to make good damages that ensue to lands of other persons

7

Snare may be set in planted grounds

14

No work to be done on the 7th of June, under penalty of 40 s. 5 Gul. & Mar. i. 3

Nor on the 28th of August, under same penalty 9 Geo. I. i. 3

One white man allowed to be absent from militia duty, in rotation, in order to remain on each plantation

32 Geo. III. x. 22

See **ARMS, accoutrements, and ammunition**--**BREACHES of trust, &c.**--**DIVIDING fences**

--**FORCIBLE entry and detainer**--**HORSES**--**MILITIA**--**NULLA bona**--**PLANTATION,**

**&c. utensils**--**SLAVES.**

**Plantation, &c. utensils.**

The utensils belonging to any plantation, or brick or pot work, are not to be taken in execution, where goods can be got

33 Car. II. xxiii. 10

If, in want of goods, they must be levied on, they are to be left with the owner, and a *venditioni exponas*, without charge of mile-money, issue;

13

And not be afterwards taken, if cattle in a pen be shewn to the marshal, to be sold upon *venditioni exponas*

14

See **FORCIBLE entry and detainer.**

**Plate.**

No articles to be wrought or sold of gold, less in fineness than twenty-two carats;

and



and none of silver, less in fineness than eleven ounces two pennyweight. All plate to be marked with the worker's name, before offered for sale 33 Car. II. xix. 3  
Those who sell wares of less fineness are to forfeit treble the value for the first offence, and be pilloried and lose their ears for the second 4

See ASSAY--LOTTERIES--RECEIVERS of stolen goods.

**Plat-books.** See REGISTER in chancery, and clerk of the patents.

#### Plats.

Whoever is in possession of any original plat must give a true copy of it, for 2 s. 6 d. or forfeit 40 s. 35 Car. II. vi. 7

If they vary from real run and marked lines, the latter are to fix the boundaries 2 Ann. vii. 4

See BOUNDARIES--REGISTER in chancery, and clerk of the patents--SECRETARY--SURVEY--SURVEYORS.

**Poisoning fish.** See FISH.

#### Poll tax.

To be under the cognizance of commissioners of public accounts, when assembly not sitting 15 Geo. III. iv. 1

Not to be paid for any female slave that has six children living 32 Geo. III. xxiii. 36

**Ponds.** See FISH.

#### Poor.

Poor or impotent persons, wandering about, are to be sent from parish to parish, to the place of their last abode, unless they have resided three months in the parish where found 35 Car. II. xi. 2

Churchwardens of each parish, with assent of two justices, are to bind any poor children, of their parish, apprentices; boys till they come to the age of one and twenty, and girls to the age of eighteen, or time of marriage 3

See MINISTERS, poor, and churches--PUBLIC hospital--PUBLIC workhouses.

#### Port-Antonio.

To be a port of entry 10 Geo. I. viii. 6

Fifty acres of land added to the fifty before allowed for building a town 12 Geo. I. x. 3

No person to sink any wrecks of ships, floops, or boats, or to throw overboard any ballast, dirt, or sullage, in the eastern or western harbours of Port-Antonio, or into the channel leading thereto, under penalty of 10 l.; 3 Geo. II. xi. 1

Nor to take rocks or stones from the reef that runs from the west part of Lynch's Island to the main, under like penalty, and of being imprisoned till it is paid.

If justices neglect their duty herein, they forfeit 50 l. 2

See NORTH-EAST part of the island--PORTS of entry and clearance.

Port.



**Port-charges.**

To be paid by foreign vessels 12 Geo. I. xi. 3

**Port-Henderson.**

Bills of lading to be given for goods sent to and from Kingston 31 Geo. III. iii. 14

**Portland.**

Its establishment as a parish, and boundaries. It is not to include any settled lands in St. George's. The town, which is to be built at Pattison's Point, is to be called Titchfield. Minister to be maintained at the public expence for three years after settlement begun; and, after the three years ended, parish to have two representatives in assembly 10 Geo. I. viii. 4

Courts of quarter-sessions and common pleas to be held at Titchfield, after three years; 5

And Port-Antonio to be a port of entry 6

Persons settling in this parish exempted from arrests and all taxes for three years 7

Commissioners to allot land to the settlers, 8

Determine disputes for the first three years, 9

And make oath they will discharge their duty faithfully 10

Settlers to be reimbursed, in case this act should not receive the royal assent 11

Survey to be made within eighteen months. No person to forfeit any lands for not settling in less than two years after the lines run out, and the twenty settlements begun 13

All inhabitants of the island, who shall settle in this parish, are to have the same privileges as new-comers 12 Geo. I. x. 1

Fifty acres of land added to the town of Titchfield, and 100 to the common 3

Settlers exempted from taxes for three years 5

Further condition for owners of land adjacent to the tract 6

Governor to appoint commissioners for assigning lands, when vacancies happen

1 Geo. II. xi. 7

The 20 acres in Lynch's Island appropriated to building store-houses and wharves, and for careening ships of war 3 Geo. II. i.

Indulgencies granted by former acts declared void, and the land which has been granted, but remains unsettled, vested in the crown, to be re-granted, under conditions prescribed by 12 Geo. I. cap. x. 11 Geo. II. v. 1

Persons who have obtained subsequent grants confirmed in their titles, if they carry on settlements as directed by said act 2

Commissioners to meet once a-year, and have accounts of patents, &c. delivered to them 3

Commissioners to issue warrants to summon freeholders, who are to attend, and swear to the number of their white men and slaves 4

Persons living at a great distance may attest their accounts before one commissioner 5

All the accounts to be recorded 6

Patentees neglecting to deliver their accounts (if three days notice has been given them), or being deficient in the number of their white men or slaves, to forfeit 50*l*. 7



- Dockets of all patents to be recorded 8
- Commissioners to assign forfeited lands to any persons applying for them; which assignment, when recorded, shall be a good title, if the conditions are complied with. Six months allowed for persons to build in Titchfield, if no new grants have been made of their lots and buildings 9
- Persons who have proceeded in settling for five years, to have a good title 10
- Assignments must be granted by a *quorum* of commissioners, met in the parish 11
- Governor to keep up the number of commissioners; 12
- Who are to take the oath appointed by 10 Geo. I. cap. viii. cl. 10 13
- Confirmation of the boundaries of this parish 14
- This act not to interfere with grants of land at Long-Bay and Manchioneal 15
- Churchwardens and vestrymen to be elected on the second Tuesday in March 22 Geo. II. xvi. 2
- New regulations established respecting grants and settlements 17 Geo. III. xxvi. 2
- The crown-lands in this parish are in future to be patented like those in other parishes, free from the conditions, forfeitures, &c. directed by various clauses of the above acts, and others, respecting the north-east part of the island; 21 Geo. III. xxii. 1
- And the present patentees are to hold their lands, during their respective estates therein, in the same manner as lands in other parishes are held 2
- The various clauses repealed, so far as they impose restrictions, conditions, &c. but no further. This act is not to confirm the titles of persons who have, within four years past, evaded the former laws in patenting 3
- 20 l. added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, 30 Geo. III. xiii. 3
- Under penalty of 50 l. on each defaulter 4
- See BENEFICED ministers--NEW-COMERS--NORTH-EAST part of the island--PORT-ANTONIO--TITCHFIELD free-school.

#### Port-Maria.

- A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1
- See BARRACKS--STANDARD weights.

#### Port-Morant.

- A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1
- See STANDARD weights.

#### Port-Royal.

- Limitation for buildings on the harbour side, and on the north side 33 Car. II. xvii. 1
- Land-owners on the south part of Port Royal not making wharves, or not keeping them in repair, to forfeit 10 l. for every year's neglect. Church-street to be annexed to the bordering properties; and no more houses to be built south of the church 3
- No stones to be dug up below high-water mark, from the easternmost and southernmost parts of any of the keys, nor from the easternmost side of the Point, so far



- far as Plumb-Point, on penalty of 10 l. nor any ballast to be thrown over-board in the harbour, under penalty of 20 l. 4
- No wrecks to be laid up in the harbour; or if any sink there by neglect of the possessors, and are not removed within a month, the possessors to forfeit 20 l. for every month they remain 5
- This name, given to the parish in 1677, confirmed xviii. 12
- On ordinary occasions, privates may have substitutes in the militia, but not officers; and no person is to refuse being a sergeant, corporal, or drummer, under penalty of 5 l. xxi. 3
- One company of the militia to be exercised in each week successively, and the whole regiment once in eleven weeks 4
- In absence of the captain, inferior officers may proceed against any who absent themselves from duty without sending a substitute 10
- No wherry, ship's boat, or canoe, to pass the fort, without giving notice to the chief officer there, under penalty of 20 s. Such notice to be sufficient authority to pass the fort, unless officer have cause to suspect some evil design, in carrying off any persons 11
- No commander of any vessel, riding at anchor in the harbour, is to fire any gun after sun-set, under penalty of 40 s. for each gun. But, on board men of war, one gun may be fired for setting the watch 12
- Court of common pleas to be held every two months xxiii. 2
- Summonses to be left only ten days before court. Execution to issue ten days after judgment 10
- Secretary's office to be kept there, as well as at St. Jago de la Vega 35 Car II i. 5
- Warrants against persons on board any vessel to be executed by marshal, or any constable of the place, who is to receive 3 s. as a fee iv. 7
- Certain patents granted to the parish declared valid xii. 2
- Justices and vestry empowered to levy a tax on the freeholders of the parish, for wharfing or otherwise securing the town; 5 Gul. & Mar. iv. 1
- And a yearly tax for keeping the wharves in repair, when made; which the constables are to collect, and pay to churchwardens, deducting poundage 2
- Such tax to be levied by distress, if payment is delayed 3
- Churchwardens to pay the money as directed by justices and vestry; to keep and render in regular accounts, and pay balances to successors in office, under penalty of 50 l. for any default 4
- Freeholders not resident may be sued for the tax; and the assessment be sufficient evidence 5
- If owners of lands do not build on them within three years, proclamation is to be made for them to build within nine months; which not being complied with, a jury is to value the lands, and the fee and inheritance thereof to be sold by the judges of the common pleas. Such titles, being recorded, are to be valid. Purchase-money to be paid to churchwardens, and by them to the proprietors of lands 6
- Offices to be kept at Port-Royal, as formerly, by the receiver-general, naval officer, and secretary, under penalty of 50 l. 7



- Justices and vestry yearly to appoint two or more inhabitants to be scavengers, who may employ rakers to clean the town, under regulations made by the justices 11 *Gul. III. iv. 1*
- Persons filling up part of a street, and making a wharf, to enjoy the benefit ten years 4
- Ends of streets, lanes, and alleys, to remain open, that water-canoes, boats, and wherries may unload 5
- No more than four pounds of powder for each white man to be kept in any one family, except retailers, who may have a barrel; and it must be lodged in the uppermost room in the house, or in some loft or place near the roof. Persons offending are to forfeit the powder and 10*l.* 3 *Ann. ii. 1*
- Justices and vestry to fix on and let lands for accommodating dealers in powder, combustibles, and lumber 3
- Leases of ground let by justices and vestry to be valid 4
- Regulations for preventing fire are to be made by justices and vestry; if disobeyed, 40*s.* to be forfeited 5
- No stones, shells, gravel, or sand, to be taken from any quays or shoals between One-Bush Quay and Eastermost Quay, or within three miles within or without them, under penalty of forfeiting the boats or canoes used for carrying them away. But stones may be taken to the westward or north-westward of the leewardmost channel 8 *Ann. ix. 1*
- No vessel to be sunk in any other part of the harbour than between the Round Tower and the palisadoes, under penalty of 100*l.* 2
- Churchwardens to receive 150*l.* annually, out of the revenue, for repairing the wall 4 *Geo. I. iii. 1*
- They are to have the concurrence of the justices and vestry in laying out the money 2
- President to appoint commissioners to describe lands for the navy-yard. They are to treat with the owners of lands, &c. and, in cases of impediment, impanel a jury to value the properties; whose verdict is to be final 7 *Geo. II. iv. 1*
- Return to be made to the naval commander; and, on payment, lands, &c. to be vested in the crown 2
- 250*l.* to be applied to such payments 3
- Summonses issuing out of the supreme court are to be delivered here fourteen days before each such court, as in other parishes, notwithstanding 33 *Car. II. cap. xxiii. cl. 10* 8 *Geo. II. v. 16*
- Navy-yard requiring enlargement, certain adjacent lands to be valued on oath by a jury, whose verdict is to be final 14 *Geo. II. ii. 1*
- Receiver-general to pay the respective proprietors; and the lands and buildings to be thereafter vested in the crown 2
- Security for a woman under coverture, and for minors 3
- No more than one retailer of gunpowder allowed in the town; 17 *Geo. II. xvii. 1*
- And justices and vestry to settle the price of the powder 5
- Churchwardens and vestrymen to be elected on the second Wednesday in January. Vestrymen need not be freeholders 22 *Geo. II. xvi. 2*



- Clerk of the market to prove the weights used at public wharves, and by factors, merchants, and shop-keepers, every two months 23 Geo. II. vi. 4
- Three hundred acres of land, in the parish of St. Andrew, vested in the churchwardens of this parish; 3 Geo. III. iii. 1
- Who, as well as their successors, are enabled to maintain suits. Proviso made against infringement of rights, and that the act shall not be effective till confirmed 27
- Many inconveniences having arisen from the number of negro huts and houses in and about this town, on lots of land detached from the habitations of their owners; all proprietors of such lots must, in three months, deliver to the clerk of the vestry an account of the number and situation of such huts or houses, and of the slaves resident in each of them; and, for all which may hereafter be built, such account must be delivered within a month after they become habitable 11 Geo. III. iii. 1
- Every four of the huts or houses is to have but one door of entry; and where there are four or more, belonging to the same owner, they are to be inclosed with a fence of brick, stone, boards, or palisadoes, seven-feet high at least, (which must be kept in good repair, and all other fences be destroyed), and each inclosure have but one door of entry 2
- If persons neglect to give in accounts, or to inclose, or if they suffer slaves not in their service to stay there, justices and vestry may cause such huts or houses to be pulled down 3
- 30*l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, 30 Geo. III. xiii. 3
- Under penalty of 50*l.* on each defaulter 4
- See BENEFICED ministers--PILOTS--ST. ANDREW'S and Port-Royal--WHERRIES.

#### Port-Royal and St. David's.

- Description of the boundary-line between these parishes, as laid down by a late survey; 23 Geo. III. xv. 1
- Which is hereafter to be esteemed the true dividing-line 2
- As some of the bordering settlements have lands in each parish, the taxes for sugar plantations are to be paid to the parish where the works are now situate, and those for other settlements to that where the dwelling-house now stands 3

#### Port-Royal hospital.

- It being necessary to have an hospital at Port-Royal for sick and invalid seamen belonging to the navy, the governor is to appoint commissioners to lay out such part of the lands in an annexed plat as may be wanting; for which they are to treat with the owners, &c. and, in cases of impediment, impanel a jury to value them. Their return to be made to court of chancery 29 Geo. II. xviii. 1
- Valuation being laid before naval commander, and payment made, lands, &c. are to be vested in the crown 2

#### Ports of entry and clearance.

- Kingston, Savanna-la-Mar, Montego-Bay, and Port-Antonio, declared ports of entry



entry and clearance; and the receiver-general, naval officer, secretary of the island, and collector of the customs, required to keep offices there, and have attendance given, in the same manner, and under the like penalties, as the three former are obliged, by 5 *Gul. & Mar. cap. iii.* to give at Kingston

31 *Geo. II. xix. 1*

The deputies of the receiver-general, naval officer, and collector, are to have the same authority at those ports as is given to their principals, at Kingston or elsewhere, by 1 *Geo. II. cap. i.*

2

The deputies of the secretary are to take there such securities from masters of vessels as their principal is required to take by 35 *Car. II. cap. i.*; which securities they are to transmit every three months to his office in St. Jago de la Vega

3

Each of the deputies, at each port, to have a salary of 70 *l. per ann.* payable by receiver-general

4

Vessels arriving at those ports, from the northward of the tropic of Cancer, are to pay the gunpowder duty to the receiver-general's deputies (for the use of the forts there), who are to keep particular accounts thereof.

5

No vessels to be cleared out till duties paid for support of the public hospital

18 *Geo. III. xiv. 2*

#### Portugal wine.

A duty of 5 *l. per ton* to be paid on importation

1 *Geo. II. i. 1*

#### Portuguese gold coins. See CURRENT coin.

#### Possession.

Of houses and lands, derived from sales for valuable consideration, or from patents, decrees, &c. and held without interruption for seven years, declared good and legal

33 *Car. II. xxiii. 1*

Confirmation of possession derived from sales or devises by aliens

35 *Car. II. iii. 3*

Possession of lands, tenements, hereditaments, or negroes, held five years without claim or interruption, or which shall so long be held, to vest such properties as estates of inheritance; and, in actions brought thereon, it shall be a good plea in bar to alledge, that the defendants, or their ancestors or predecessors, have been in quiet possession during that time; which plea shall bar demandant, unless he can disprove it, or make appear that such possession was during minority, coverture, or insanity, or held under trust or for a time, which, at or before the time of bringing the action, was fully expired. Minors, &c. must bring their actions within three years after capable; and absentees in three years from passing this act

10 *Gul. III. i. 1*

Possession of lands, houses, tenements, negroes, or other hereditaments, derived from any patent, deed, assignment, conveyance, or from any order formerly granted, and held peaceably seven years, to vest such properties in fee; with exception for minors, &c. who, if aggrieved, may bring actions in five years. Rents, services, forfeitures, or covenants, not to be evaded hereby. Persons holding by orders are to take out patents, and pay quit-rents, from the time of the

earthquake,



earthquake, within a year. Mortgagees, lessees, trustees, attornies, guardians, &c. not to derive any undue advantage from this act. Where there are two or more patents for the same lands, prior patentee is to hold them 10 Ann. xii. 1

Persons who hold lands, tenements, negroes, or hereditaments, by any conveyance whatsoever; by any patent for which quit-rent hath been paid for twenty years at least, or from the date of the patent, though it, or an assignment thereof, be lost; or by any order, and have paid quit-rent for the same time; and have been in quiet possession for seven years, or shall hereafter continue in such possession from the first possessing thereof, either personally or by claim, are to enjoy such properties against all persons whatever, notwithstanding any prior patent, unless they belong to incapable persons (who may bring actions in three years), or are devised to charitable uses. Mortgagees, lessees, attornies, guardians, trustees, life-tenants, &c. cannot claim under this act 4 Geo. II. iv. 1

In order to encourage new settlers, it is ordained, that if any person, beginning to make a new settlement, by mistake falls upon an elder run of land, and plants or builds upon it, he is to pay the proprietor the value, not exceeding 40 s. per acre, for so much as he has settled, valuation being made by one justice and two freeholders; but if, upon valuation and payment, the conveyance be refused, new settler is to hold possession 6

Judges of the grand court having put different constructions on the former part of cl. 1 of the above act, it is here explained, and declared to mean, that those persons who then held, or should thereafter hold, such properties, by any conveyance; by patent for which quit-rent had been, or should be, paid within twenty years, though it or the assignment be, or should be, lost; or by order, and had paid, or should pay, quit-rent for the same time; and had been, or should be, in quiet possession seven years, either by themselves or those they claim under, and who by mistake should have fallen, cleared, built on, cultivated, or fenced, such lands, should hold them against all persons whomsoever 14 Geo. III. v. 1

Judgments already passed, or actions now depending, not affected hereby 2

Possessors of slaves, by virtue of sales upon writs of *venditioni exponas*, or other writ or process, or of the issue and increase of any such slaves, who continue in peaceable possession (by themselves or those under whom they claim) for seven years, are to hold them in fee-simple, and oppose this act to any replevin or other suit. Infants, women under coverture, and insane persons, may, by themselves, their agents or attornies, commence actions in replevin within five years after disability removed, and absentees within the same time after sale. Persons entitled in reversion, remainder, or expectancy, may prosecute their rights in five years after their titles accrue 23 Geo. III. xiii. 1

Persons who have quietly possessed such slaves twelve months, whether in right of sales by marshals, or by descent, marriage, or purchase for valuable consideration, are not liable to pay any hire for them 2

See BOUNDARIES--CROWN lands--FORCIBLE entry and detainer.

Net-work, See HORSES--PLANTATION, &c. utensils--SLAVES.

Pounds,



**Pounds.**

Justices and vestry of each parish empowered to erect a pound or pounds, fit for the securing horses, mares, mules, asses, and horned cattle, taken up as strays in such parish; and also to appoint pound-keepers 32 Geo. III. v. 1

They may lay a tax on inhabitants, to defray expences of making pounds, and for purchasing or renting a sufficient quantity of land for the purpose, not exceeding 100 *l.* in the whole; as well as a tax for paying each pound-keeper 50 *l. per ann.* Pound-keepers may be removed by them 2

Persons who keep possession of strays forty-eight hours, and do not deliver them to the next pound-keeper in the parish where taken up (if there be a pound or pounds in the parish), are, for every offence, to forfeit 5 *l.* for each stray found in their possession after that time 3

The pound-keeper, on delivery of each stray, is forthwith to pay the bringer 1 *s.* 3 *d.* *per* mile, to be computed from the place they were taken up at, to the pound, or, in default, and on complaint on oath, be summoned before a magistrate, where if he do not appear, or if he be convicted, he is to forfeit 5 *l.* to be recovered by warrant, of distress, directed to a constable, who, if he do not execute it, is to forfeit 5 *l.* Pound-keepers are to keep lists of strays, specifying their nature and marks, date when they were delivered, the persons names who delivered them, with the mile-money paid; which lists may be freely inspected, under penalty of 40 *s.* 4

If pound-keepers do not furnish strays with sufficient food and water, they are to forfeit 10 *l.* for each offence 5

On strays being claimed, mile-money is to be returned, and 1 *s.* 3 *d.* *per* day paid for the support of each 6

If strays are hired out, worked, or used, the pound-keeper is to forfeit 10 *l.* for each time such offence is committed 7

When a stray is brought to the pound by a slave, he must have a certificate, directed to the pound-keeper, from his owner, employer, or overseer, describing the stray, place where taken up, number of miles, &c. which being left with the pound-keeper, the mile-money must be paid 8

If strays be not claimed in three months after impounded, the pound-keeper is to inform a magistrate of the parish; who is to give a month's public notice, in the Cornwall Chronicle and Royal Gazette, of selling them, on a day by him appointed, when pound-keeper is to sell them; and he is to pay proceeds to churchwardens (after deducting his expences and commission) in twelve hours after sale, under pain of forfeiting double the sum each stray sold for 9

Each pound-keeper must live at the pound; and he, or some white person, must constantly reside near it, under penalty of 40 *s.* for each absence when strays are brought. No unsound beast is to be received 10

This act to be in force till December, 1798 13

**Precincts.**

Provost-marshal to keep a deputy in each

8 Geo. II. v. 12

See DISTRICTS--ST. CATHERINE'S precinct.

**Precepts.**



**Precepts.** See PROCESS.

**Preventing discontinuance.**

Martial law having been lately put in force, provision is hereby made that no suits or process depending at the time should be discontinued thereby;

17 Geo. III. i. 1; 32 Geo. III. xii. 1

Nor any priority be lost

3;

3

Martial law is not in future to occasion a discontinuance of any process

17 Geo. III. i. 2; 32 Geo. III. xii. 2

See COURTS of assize.

**Prior incumbrances.** See LEVIES--NULLA bona.

**Priorities.**

Executions lodged on judgments of assize-courts are to have equal priority with those of the preceding grand court

31 Geo. II. iv. 19

Books or back alphabets of priorities are to be kept in provost marshal's office, in which the names of defendants in every writ of execution are to be entered, with the levies made on any writ against each defendant, and what levies are made each court, liable to every writ; these entries are to be made in the most intelligible manner. The books are never to be taken out of the office, and may be inspected, on paying 1 s. 3 d. each search

21 Geo. III. xxiii 4

Writs of *venditioni exponas* for quit-rent bonds are to have priority of all preceding prior writs

24 Geo. III. xi. 8; 29 Geo. III. xii. 11

Levies made for emblements are not to be applied to prior writs against persons in reversion or remainder

25 Geo. III. i. 7

Not to be obtained by the rule of executors being unfairly pleaded

29 Geo. III. xiii. 3

Prior writs of execution and *venditioni* are to be specified by provost-marshal, when levies have been made on junior writs

32 Geo. III. xvii. 7

See MARTIAL law--PRIVILEGE of assembly--ST. CATHERINE'S precinct.

**Prior patents.**

Seven years quiet possession supercedes them, unless belonging to incapable persons

4 Geo. II. iv. 1

See POSSESSION.

**Prisoners.**

Public to pay coroner's fees for any who may die in the county gaols

11 Geo. III. xv.

See CROWN witnesses--INSOLVENT debtors--INVEIGLING slaves.

**Privateers and pirates.**

Those who harbour or correspond with them, or do not endeavour to have them apprehended, are to be prosecuted as confederates

33 Car. II. viii. 3

Commission officers, on notice given, are to procure aid, and carry them to gaol;

or, if they resist, to kill them. Resistance is to be deemed felony. Officers

neglecting



neglecting this duty are to forfeit 50 l. and inferior persons to be punished by a court-martial

#### Privileged people.

Unprivileged free people not to be admitted as evidence against them 21 Geo. II. vii. 1  
See ISSUE of negroes.

#### Privilege of assembly.

The English statute entitled, "An act for new executions to be sued against any  
" which shall hereafter be delivered out of execution by privilege of parlia-  
" ment, and for discharge of them out of whose custody such person shall be  
" delivered," declared to be in force here, and to comprehend attachment, or  
other process whatsoever, of the court of chancery, or any other court, against  
the person; but, after the privilege of assembly ceases, the party at whose suit  
the writ of *venditioni*, or other process affecting the person, was pursued (his  
attorney, executors, or administrators) may execute a new writ of *venditioni*,  
or other process, in the same manner as he might have done if no former writ  
of *venditioni* had been served. This act is not to alter or affect the priorities  
of creditors 31 Geo. III. iv.

#### Privy-Council.

Members are to be directors of the Bath of St. Thomas the Apostle

11 Gul. III. iii. 2; 22 Geo. II. xiii. 6

Four senior members to be governors of Wolmer's free-school 9 Geo. II. vi. 1

Members to be governors of the free-school of St. Jago de la Vega 17 Geo. II. x. 2

Any beneficed minister who is appointed chaplain to the board, is not to be con-  
sidered as a non-resident of his parish, during any session of assembly 11 Geo. III. xvi. 1

President to allow his name to be used for recovery of monies lent by aliens to  
settlers here 13 Geo. III. xvi. 2

Members to be directors of the Jamaica Spa 16 Geo. III. xx. 2

Four senior members to be trustees of Titchfield free-school 26 Geo. III. vii. 1

Members appointed commissioners of forts, fortifications, and public buildings  
31 Geo. III. x. 2

Senior resident member appointed a commissioner for the government pen and  
mountain 32 Geo. III. ii. 1

Members resident in the island are, together with resident members of the assem-  
bly, to be commissioners for instructing the agent for the island iii. 1

Proceedings of such commissioners to be laid before the council, when sitting, as  
often as required 4

Members exempted from serving in the militia x. 2

They are to form part of a council of war 46

Are exempted from serving on juries xvii. x

President for the time being to be a commissioner for printing the laws of the island  
for fourteen years hereafter xxix. 1

Each member is to have two copies of the laws of this island, published, as herein  
directed, under the authority of commissioners 3

Members



Members are to be commissioners for building a stone bridge over that part of the Rio Cobre near Spanish-Town

xxx. 1

See REVENUE.

Prizes. See LOTTERIES.

**Probates.**

Deeds, conveyances, and letters of attorney, executed in Great-Britain, and proved or acknowledged before the chief magistrate of any city, borough, or corporate town there, and certified under the common seal of the place, are to be as effectual as if they had been proved or acknowledged before a judge of common pleas here;

24 Geo. II. ix. 1

And all those executed in Ireland, authenticated in the same manner, or in America, and certified under the seal of the colony, are to be equally valid

2

Commissions having been granted to fundry persons to act as judges, under an act entitled, "An act to enlarge the jurisdiction of the several inferior courts of common pleas," who had thereby sufficient authority given them to prove and acknowledge deeds and conveyances; but that act having been disallowed, the probates so granted by them are (in order to prevent individual injury) hereby declared valid

1 Geo. III. xx. 1

Probates having been granted by justices of assize (whose authority therein is doubtful), those heretofore granted by them declared valid

2

**Process.**

Manner of serving, as regulated in 1681

33 Car. II. xxiii. 10

That out of chancery, except attachments, may be served by any person

10 Ann. iv. 24

To be filed in the office of the clerk of the grand court, in eight days after court meets

8 Geo. II. v. 8

Marshals to give receipts for properties they seize under any process

14

Not to be at any time discontinued by martial law occurring

17 Geo. III. i. 2; 32 Geo. III. xii. 2

Persons assisting to extinguish fires in Kingston exempted from judicial process during, and for twenty-four hours after, such assistance;

22 Geo. III. xix. 9

And the same in Spanish-Town

28 Geo. III. v. 17

Jurors on writs of emblements exempted from mesne and judicial process

25 Geo. III. i. 8

Persons attending trials of inveigling protected from it also

29 Geo. III. iii. 28

May be sued out, notwithstanding martial law be in force, if indebted persons attempt to leave, or do leave, the island

31 Geo. III. ii. 1

Persons attending trials of maroons protected from it

32 Geo. III. iv. 28

Militia-men, and their property also, protected from it while on any kind of military duty

x. 21

Where any action, warrant, writ of *scire facias*, execution, or *venditioni*, or any precept thereon, is sent by the provost-marshal-general to any of his deputies, the deputy is to return such action, &c. in convenient time for returning it to the provost-marshal. If it has not been served or executed, the deputy must



- assign the true reasons thereof in writing, annexed thereto, in some such form as herein set forth. Provost-marshal is to file the reasons given by deputies, that they may remain records free for inspection, and be produced in court, if complaint made. Deputy-marshals must swear to the truth of such reasons xvii. 1
- Provost-marshal is to keep an alphabetical register of all actions, warrants, &c. which is to be freely inspected 2
- Deputy-marshals must be diligent in the service and execution of process; otherwise grand court may fine them 20 l. or dismiss and incapacitate them 4
- On writs of execution being lodged in the provost-marshal's office, precepts must be sent to deputy-marshals, who must execute them, by giving due notice to defendants, and make return thereof on oath, otherwise *nulla bona* must be returned, and no *venditioni exponas* be suffered to issue 5
- Provost-marshal is to deliver to the attorney-general and receiver-general, the second Wednesday in every supreme court, a list of all actions, writs, and process, lodged in his office, with a copy of the return made to each, and of all monies received by him, wherein the revenue is interested 6
- When *venditioni exponas* is lodged, and levy in whole or in part made, provost-marshal is to make return of the particular sum levied; and if there be any writs of execution and *venditioni* in his office, to which the monies so levied ought to be applied according to legal priority, he is to specify such writs in the return; for which he is to be paid 5 s. When payments are made to plaintiffs, or their agents, in whole or in part, they are to be certified by plaintiff, &c. within two months, to provost-marshal, and entered in his books 7
- Persons who neglect the duty hereby required are to forfeit 50 l. for each offence 20
- This act is to be in force till December, 1798 22
- Jurors, witnesses, &c. at slave-courts, or in slave-causes, protected in their persons xxiii. 77

See POSSESSION--PRIVILEGE of assembly--REVENUE.

#### Proclamation.

In case of war, commander in chief may issue a proclamation, forbidding the exportation of arms, &c. unless a certificate shall have been obtained from collector or naval officer 31 Geo. III. xi. 2

See ABSENTEES--ESCHEATS--FORFEITED lands--QUIT-RENTS.

Proctors. See ATTORNIES at law.

#### Produce.

Persons who buy or receive sugar, rum, cotton, ginger, coffee, cocoa, chocolate, or other produce, from any slave, or any person but the owner thereof, or a known factor, and shall be convicted by the oath of one white person, are to forfeit 10 l. for the first offence, and, for the second and each other, the like sum and suffer corporal punishment, not exceeding twenty lashes 8 Geo. II. vi 4

See CLEARANCES--FORCIBLE entry and detainer--FOREIGN produce--PAYMENTS--PUBLIC wharves--RECEIVERS of stolen goods.

Prohibition



**Prohibition.** See ARMS, accoutrements, and ammunition.

**Promise of payment.** See WRITS of error.

**Promissory notes.**

See ASSIGNMENTS of bonds, and of judgments--FORGERY--SECURITIES for money.

**Prompt payment.** See DUTIES.

**Proposals for lotteries.** See LOTTERIES.

**Protested bills.** See BILLS of exchange.

**Provisions.**

Not prohibited by this act from being hawked or carried about by negroes, &c.

having tickets

8 Geo. II. vi. 1

See ENGROSSING and forestalling.

**Provost-marshal.**

In case of the death or removal of any provost-marshal, so as he cannot make return of writs, the succeeding provost-marshal may make return, and act in all things as his predecessor could have acted, first having given and taken security, and qualified

10 Ann. iv. 6

Establishment of his fees, in 1711

8

He is to deliver copies of estreats, sent to him by clerks of crown and peace, to attorney and receiver-general, in order to obtain process to levy for them, which he is to do in twenty-one days; and he is to pay all fines, &c. to the receiver-general in twenty days after receipt, under penalty of 100*l*.

14

Table of the fees allowed by this act is to be always open in his office, under penalty of 100*l*. and if he take greater fees, he forfeits the same, and becomes incapacitated

34

No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100*l*.

35

Discovery may be made to him of lands of absentees forfeitable for non-payment of quit-rents. If he neglect making proclamation, he forfeits 50*l*. 6 Geo. II. vii. 4

Undue practices having been carried on, in his office, the fees and proceedings of him and his deputies are herein regulated

8 Geo. II. v.

His office to be open, on the first day after each court for entering writs of execution, at seven in the morning, and continue open till eleven, and no fraction to be made in the hour from seven to eight; but all such writs, lodged in that hour, are to affect the property of defendants equally

8 Geo. II. v. 6

He must return and file, in the office of the clerk of the grand court, all writs and other process directed to him, in eight days after meeting of the court

8

Not to take into his office any writ of execution or *venditioni exponas*, unless the sum really due to the plaintiff be indorsed on the writ,

11

Under



Under penalty of 100 l.

24 Geo. II. xvi. 2

He is to keep a deputy in each precinct

8 Geo. II. v. 12

If he offend against this act, he forfeits 20 l. besides penalties inflicted by 10

*Ann. cap. iv.*

17

To receive written instructions what lands, &c. he is to extend, after *nulla bona* has been returned;

24 Geo. II. xix. 5

Give fourteen days notice to defendant, and summon a jury of twenty-four neighbouring planters or freeholders, out of whom he shall swear twelve to value the property seized

6

If any writ or process of arrest issue without affidavit, and indorsement of sum on the declaration, he is not to execute it; and he is to take bail only for the sum indorsed

26 Geo. II. ii.

He, or some person in his stead, lawfully deputed, is to attend the whole time of holding assize-courts

31 Geo. II. iv. 21

He must, on or before the first Monday in every grand court, deliver to attorney-general and receiver-general a list of all process, mesne and judicial, wherein the crown has claim, with copies of returns thereto, and of all monies and effects thereon levied, or levied on other writs, or otherwise received by him, on account of any fines or dues to the crown. And he must, in three days after delivery of the lists, pay all such monies to the receiver-general, under penalty of 200 l. for each offence

1 Geo. III. xiii. 7

If any money due to the revenue is received by him, or any person by his appointment, and certified and estreated as paid, or returned levied, and shall not be paid by him, to the receiver-general, according to the above directions, he is to be liable to such processes, for the immediate recovering such sums, as any other crown debtors; and the attorney-general is to proceed against him, on certificate given him by receiver-general

8

To make return to writs of enquiry respecting lands informed against, in form herein prescribed;

9 Geo. III. ix. 4

And to make addition, relative thereto, to writs of *venire facias*, for which he is to be paid 1 s. 3 d.

5

He must, in ten days after grand court, under penalty of 500 l. make a return to clerk of supreme court of each writ which has, since the former court, been returned satisfied in his office;

14 Geo. III. xxviii. 15

And the said clerk is to certify to him all satisfactions entered in his office; of each of which he is, under penalty of 100 l. to make entry in his books

16

No person is in future to execute this office till he, and two securities, have entered into recognizance before the chief justice, in the sums mentioned in cl. 4, for the faithful discharge of his duty (which recognizance must be signed by him and his securities, in presence of the chief justice, and recorded in the office of the clerk of the crown), under penalty of 1000 l. and being rendered incapable of holding the office

15 Geo. III. vii. 2

Those hereafter entering on the office are to give four days previous notice to the clerk of the crown and attorney-general, of their intention to enter into recognizance, together with the names and additions of their proposed securities

3

He



- He is to be bound in 20,000*l.* and his securities in 5000*l.* each 4
- He is to use all speed in transmitting warrants for constables to warn freeholders to elect representatives 21 *Geo. III.* xv. 2
- Present provost-marshal required to enter satisfactions on writs of execution already discharged xxiii. 1
- In future, when any original writs of execution are first lodged in the office, provost-marshal is to be paid 2*s.* 6*d.* for each, which is to be in full for entering satisfaction upon them, when they appear to him to be discharged; and which satisfaction he is then to enter, without further fee, under penalty of 500*l.* for each neglect 2
- He is to keep back-alphabets of priorities, in which are to be entered the names of the defendants in every writ of execution, the levies made on any writ lodged against such defendants, and what levies are made each court, liable to every writ of execution; which entries are to be made in so clear a manner that every plaintiff or defendant may, at one view, discover how much money has been paid into the office, subject to such writs, under penalty of 500*l.* for each neglect. Such books are always to remain in his office, ready for inspection, on payment of 1*s.* 3*d.* for each search. If any provost-marshal, leaving the office, take away or destroy any such book, he forfeits 10,000*l.* for each offence 4
- He is to cause writs of *venditioni exponas* for quit-rent bonds to be forthwith executed, and levies made till the sums marked, with interest and costs, are received, which he is to pay to receiver-general 24 *Geo. III.* xi. 8
- To summon twenty-four freeholders, and choose by ballot twelve of those who attend, as a jury for emblements; and also to warn one or more justices to attend on such writs of enquiry 25 *Geo. III.* i. 1
- He is, before he executes such writs, to give fourteen days notice, in writing signed by himself, to the parties or their attornies, and prove, before the justice attending, service of a copy of the notice; he is also to annex the original notice and the affidavit to the return 2
- If lands lie in different parishes, he is to have distinct writs, and make distinct returns. When he cannot attend personally, he may appoint a deputy by warrant, which must be made a part of the return. His fees are to be the same as on other inquests returnable to grand court 3
- If any magistrate or juror fail to attend, after having had four days notice, he is, under penalty of 20*l.* for each offence, to return to grand court the name and place of abode of each defaulter, with an affidavit of service of the notice 8
- If bail-bonds taken by him become forfeited, he may assign them to plaintiffs in the suits, in form here specified ix. 1
- He is to apply levies in matters between inhabitants of St. Catherine's precinct, and for sums not exceeding 20*l.* to the respective writs, without regard to priority 31 *Geo. III.* xxiv.
- Regulations for the service and execution of process 32 *Geo. III.* xvii. 1, 5, 7
- He is to keep a particular book or register of all actions delivered in his office for service, of all bench warrants, warrants from the judges of the supreme court and



- and the attorney-general, and of all writs, mesne or judicial; which is to be free for inspection 2
- His fees and mile-money on executing the warrants above-mentioned 3
- He is to deliver lists of all process lodged in his office, and of all fines, received by him, on account of the revenue, to attorney-general and receiver-general, the second Wednesday in each grand court 6
- To form panels of jurors, for grand and assize courts, in the most equitable manner, out of lists sent from the different parishes to the chief justice 8
- To return effective jurors for inferior courts and courts of quarter-sessions 9
- On writs of partition, he may give authority to some person in the vicinity to make partition, when he cannot attend in person. He is to return the writ as if he had made the partition personally 19
- See BILLS of exchange--MARSHALS--MILITIA--PROCESS.*

**Public accounts.** *See COMMISSIONERS of public accounts.*

**Public buildings.**

- It being necessary to build an edifice for the use of the council and assembly, and for keeping the public records, and also an armory, the parade of St. Jago de la Vega appointed for the purpose, and commissioners nominated 17 Geo. II. ix. 1
- They are to meet at the court-house for the first time, and afterwards when and where they think fit 2
- They are to design the building, and make contracts 3
- Materials vested in them 4
- The sum of 6000 l. appropriated towards building the edifice 5
- Artificers to give security for performance of contracts 6
- Clerks, &c. to be appointed, and their salaries settled, by the commissioners. No commissioner to be a contractor, or to execute any office of profit, under this act 7
- Five commissioners may elect new ones, when vacancies happen, public notice being first given, ten days before, that a general meeting of the commissioners will be held for electing new commissioners 8
- This is declared to be a public act 9
- It being necessary to appoint a place wherein to fix the statue of lord Rodney, and additional offices being wanted for the preservation of public records; such buildings are to be erected on the north side of the parade, in St. Jago de la Vega. Commissioners appointed for this purpose; 30 Geo. III. xxi. 1
- Who are to meet on or before the 1st of June, 1790, for the first time, and afterwards when and where they please 2
- They are to design the buildings, purchase lands, &c. 3
- And, in case of the owners refusing to sell, or other impediments, apply to a magistrate of St. Catherine's, to order a jury to be summoned; who, on oath, are to value the lands, &c. and their judgment is to be final, previous notice having been given to parties concerned. Valuation of such lands, &c. is to be paid by the commissioners; who are empowered to summon witnesses before the juries. Verdicts of the juries are to be recorded, and admitted as evidence



- in the courts. After proceedings returned, houses may be pulled down, and lands occupied 4
- In cases of sale, conveyances to be to his majesty; 5
- And in cases of valuation by a jury, the lands to be vested in his majesty. Monies are to be paid on demand 6
- Materials vested in the commissioners 7
- The sum of 3000 l. granted in the poll-tax law passed this session, is to be applied in erecting the buildings, &c. 8
- Artificers employed by the commissioners are to give security for performance of their contracts 9
- Commissioners may appoint and remove clerks and other officers, making them such allowance as they think reasonable. No commissioner is to be concerned in any contract under this act 10
- This is to be deemed a public act 11

#### Public danger or invasion.

- On every appearance of it, the commander in chief is to call a council of war, and, with their advice, cause the articles of war to be proclaimed at Port-Royal and St. Jago de la Vega; from which time martial law is to be in force; when he may command all the king's subjects, their negroes, horses, and cattle, for the public defence; pull down houses, cut timber, command ships and boats; and do all things which he and the council of war think expedient for defence of this island; which negroes, servants, cattle, ships, or boats, shall be immediately discharged, when martial law ceases 33 Car. II. xxi. 7
- If any person be wounded or disabled on such occasions, he is to be cured and maintained out of the public revenue 6

#### Public hospital.

- Commissioners appointed for hiring a house in Kingston, for the reception of infirm transient poor, and for supporting and maintaining them there 17 Geo. III. xxxi. 1
- Commissioners are to establish regulations, and appoint a supervisor; who is to inflict such punishment, for disobedience to the regulations, as shall be ordered by the physician, surgeon, or apothecary 2
- Transient poor are to be sent here from all parts of the island 3
- Masters of vessels having made a practice of putting their sick and disabled men on shore, and leaving them in a miserable state, all commanders, arriving in any port or harbour of this island, are in future to pay the following sums: Those trading north of the tropic of Cancer, 40 s. for every three-mast vessel; 30 s. for every brigantine, snow, or bilander; 20 s. for every schooner or sloop: Those trading between the tropics, half those sums; and masters of coasting vessels are to pay 10 s. every six months 18 Geo. III. xiv. 1
- No vessels are to be cleared out till payment made of these duties; 2
- Which are to be paid over, by receiver-general, to the treasurer of the public hospital, and appropriated to the use thereof 3



Receiver-general is to have 5 *per cent.* commission for receiving and paying the money

4

See PUBLIC workhouses.

#### Public officers.

Certain public officers to give security by bond, before they proceed to the discharge of those offices

15 Geo. III. vii.

See SECURITY.

#### Public taxes.

See COLLECTING constables--COMMISSIONERS of public accounts--PARTIES--SLAVES.

#### Public wharves.

Weights and scales must be kept by all persons employed for the keeping public wharves, barquadiers, bays, and landing-places, to weigh, if required, all sugar, indigo, piemento, cotton, and other plantation goods; who must enter weight in a book, being paid; and give receipts for all goods delivered. A penalty of 20*l.* to be paid for neglect in either particular

11 Ann. iii. 7

If any owner of a wharf, or person acting under him, receive payment for landing or delivering goods, or for a vessel lying and delivering or lading thereat, the wharf is to be deemed public. Persons keeping such wharves are to enter in books, kept for the purpose, the marks and numbers of all goods landed or delivered, the names of the persons landing or delivering them, and of those to whom they are to be delivered, as well as the names of the vessels out of which they are taken; they are also to give receipts for all such goods, if demanded. If they fail in either particular, they forfeit 10*l.*

25 Geo. III. v. 1

They are to keep a crane, with sheds and tarpaulins for securing goods from the weather, and must put every hoghead or tierce of sugar under the sheds or tarpaulins, and on skids, four inches at least from the ground, under penalty of 100*l.* for each default, besides being liable to actions for goods damaged, lost, or stolen;

2

And they must, under like penalties, secure rum in a store, under lock and key

3

Such sheds are to be covered with shingles, slates, tiles, or terrass, under penalty of 100*l.*

4

If any wharfinger, or person acting for him, refuse to deliver goods, being demanded between six and twelve in the forenoon, or two and six in the afternoon, and payment being tendered for the wharfage and storeage, he is to forfeit 100*l.*

5

Wharfingers are to receive, ship, and secure from wet, such goods as it would damage, at the rates in the annexed schedule; and to weigh and gauge produce, if required

6

They are, under penalty of 50*l.* for each neglect, to enter in their wharf-books the marks and numbers of all produce delivered to them, with the names of the estates from which it came; and, if sugars, and directed to be weighed, to enter the weights, with the names of those to whom delivered, or of the vessels whereon they were shipped; and in like manner, of every other produce;

7

And



And they are, under penalty of 500 *l.* to make oath (in form here set forth), every January, of the truth of their wharf-books; which oath is to be taken before a magistrate of the parish wherein the wharf is, be entered in the wharf-book on the day it is taken, be subscribed by the wharfinger, and acknowledged by the magistrate.

8

Rates of wharfage and storeage, properly digested in an alphabetical manner, are to be constantly in view, in some public place under cover from the weather, at or near the weigh-house, under penalty of 40 *s.* for every day's neglect.

9

If any wharfinger, or person acting for him, neglect or refuse to do the duty herein set forth, or take any greater rates than those hereby allowed, he is, for each offence, to forfeit 100 *l.*

10

Payment of penalties may be enforced by imprisonment;

11

And the penalties are to go to the informers.

12

If packages of dry goods, provisions, or liquors (rum excepted), be not taken away in two months in Kingston, and four months in all other parts of the island, after landing, the wharfinger may demand double the wharfage mentioned in the schedule, provided they have been stored.

13

Variations from the above act for Kingston and Morant-Bay; 27 *Geo.* III. ii. 1, 2, 3

And for Montego-Bay and Martha-Brae Point 29 *Geo.* III. xx. 1, 2, 3

Persons keeping public wharves are to weigh, gauge, measure, count, or examine (according to their quality), all goods landed at their wharves from droggers, immediately on their being landed, and enter the weight, gauge, &c. in their wharf-books, under penalty of 50 *l.* and are to charge for it according to the established rates for weighing, &c.

31 *Geo.* III. iii. 6

See DROGGERS--SLAVES--STANDARD weights--STOLEN goods--WHITE persons.

### Public workhouses.

A moiety of the penalties for laying nuisances on the highways is to be for their use.

29 *Geo.* III. xiv. 1

Maroons sent in are not to be chained to slaves, but work with free negroes.

32 *Geo.* III. iv. 7

Able white persons, or free people of whatever colour, who, not having wherewith otherwise to maintain themselves, refuse to work for the usual wages, and all those who wander abroad and beg (except soldiers, mariners, &c. licensed by some testimonial in writing from a justice of peace), are to be deemed rogues and vagabonds.

xi. 1

Justices and vestrymen, with representatives in assembly, of the several parishes, may build a public workhouse or houses of correction, in such part of each parish as they think most proper; and they, with the churchwardens, are to elect a president, treasurer, and supervisor thereof; who, for misbehaviour or neglect, they may remove, and appoint others.

3

Justices, vestrymen, churchwardens, and members of assembly, for each parish where such hospital or workhouse may be erected, are to be commissioners thereof, and are hereby declared a body politic and corporate, by the name of "The president, guardians, and governors, of the hospital and workhouse of



- the parish of, &c." by which name they may purchase lands and houses, and do all other corporate acts. Five of them are to be a *quorum*, and may make rules and orders, appoint a common seal, constitute committees, provide materials for vagrants to work on, and punish their misbehaviour, either by confinement in the stocks, whipping, or shortening their allowance of diet 3
- Constables must, and any other persons may, apprehend persons hereby deemed rogues and vagabonds, and take them before a justice; 4
- Who, after examination, if he see fit, is to send them to the workhouse, there to be kept at labour, not exceeding six months for one offence 5
- White persons are to be fed, lodged, and worked, separate from free negroes, mulattoes, and slaves 6
- When workhouses are ready, they are to be advertised; after which, all rogues, vagrants, vagabonds, sturdy beggars, and other disorderly persons, and all runaway slaves, are to be received therein. Runaways are to be employed on hire in mending streets or roads, or at private buildings, &c. or, in general, to the greatest advantage, either in or out of the workhouse. Proceeds from the labour of such disorderly persons, or of runaway slaves, are to be applied to the maintenance of the workhouses, and overplus is to go to the public hospitals 7
- Laws binding marshals or gaol-keepers to pay rewards or mile-money for runaway slaves, are to be equally binding on the supervisor, intendant, or manager, of any public workhouse; and such rewards and mile-money must be repaid them by the master, &c. of the slaves, with 6 *d.* per day for maintenance, and 2 *d.* for medical care, before any slave can be demanded 8
- Treasurer and other officers must give security, and are to be removeable at pleasure of the president, &c. 9
- Slaves committed by a slave-court are to be kept separate from those sent by their masters, &c. or by a justice of peace, who are never to be chained with those committed for felony 10
- Supervisor may refuse to admit slaves sent by their master, &c. whenever the surgeon of the workhouse declares, in writing, that such slaves are not able to undergo hard labour, either from age, sickness, or infirmities. But he is to receive wandering, sick, aged, or infirm slaves, committed by justices of peace, who are to be clothed, lodged, and fed (but not worked), at the expence of their master, &c. 11
- Supervisors or overseers are to make out lists, upon oath, of all the wandering, sick, aged, or infirm slaves, committed to their workhouse, and an account of the fees due for them, and deliver such lists, at each court of quarter-sessions, to the presiding magistrates; who are to enquire whether the owners, &c. have been proceeded against as directed by 32 *Geo. III. cap. xxiii. cl. 4*; and if they have not, they are to be summoned for the next court, that the matter may be enquired into; when they are either to have the penalty of 10*l.* levied on them, or be acquitted 12
- No slave is to be confined or kept to hard labour in any public workhouse longer than three calendar months, unless by sentence of a slave-court, or warrant from two justices of peace. At the end of that time they are to be advertised,

with



with particular descriptions, eight weeks, for public sale; and the proceeds, after deducting workhouse fees, and advertizing, are to go to the support of the workhouse they are sold from. The receipt of the president, guardians, and governors of such workhouse, for the amount of the purchase-money, is to be a good conveyance, and bar all claim of former owner; except such owner be an infant, under coverture, or insane, who may bring actions in five years after disability removed; or except the owner be an absentee, who may bring actions in five years after sale; and persons entitled in reversion, remainder, or expectancy, may prosecute their rights within five years after their title accrues. If former owners apply to the president, &c. within two years after sale, and prove their title, they are to receive monies slaves sold for, deducting all expences

13

Persons in possession of slaves who have been so purchased, or of their issue and increase, are not to be liable to pay any hire, rent, or other satisfaction, for any part of the time they held the slaves

14

Supervisors are to produce mutilated slaves at first vestry after they are sent in, under penalty of 20*l.* for every neglect

xxiii. 10

Keepers are to pay rewards and mile-money to persons bringing runaways, when payment has been refused by owners, &c. and oath has been made, by white or free people, of the necessary particulars

31

Governors and guardians may demand runaways that are in gaol

60

If slaves sentenced to be confined for a stated term make their escape, they are, on being re-taken, to have a whipping, not exceeding fifty lashes

73

If workhouse-keepers suffer slaves to escape out of their custody, who have been committed for offences, and the slaves remain out two years, each such keeper is to forfeit 20*l.* and may be sued for the slave's value

74

#### Punch-houses.

Not to be kept open on the 7th of June, under penalty of 40*s.* 5 *Gul. & Mar. i. 3*  
Nor on the 28th of August, under same penalty 9 *Geo. I. i. 3.*

#### Purchasers of land.

They must, within three months after buying it, give a written account to the receiver-general, expressing names of parties, and all particulars, under penalty of 10*l.*

2 *Ann. vii. 14*

Actions brought in consequence of the above law discontinued, provided accounts shall be given within a limited time

8 *Geo. I. iv. 2*

#### Purchasers of slaves.

*See INVEIGLING slaves--SALE of slaves under venditioni exponas,*



**Quakers.**

**T**HEY may affirm, instead of taking the oath, at elections of representatives, having first complied with the British stat. 1 Geo. I. 21 Geo. III. xv. 9  
See OATH--QUIT-RENTS.

**Qualification.**

Of candidates and electors for representatives in assembly, as adjusted in 1681

	33 Car. II. i.
For hunting with a gang of dogs	x. 12
Of beneficed ministers	xviii. 9; 21 Geo. II. vi. 2
Of judges of supreme and inferior courts	33 Car. II. xxiii. 3
Of freeholders, to protect them from arrests	35 Car. II. vii. 12
Of the receiver-general, under the revenue act	1 Geo. II. i. 16
Of jurors on escheats	6 Geo. II. vii. 6
Of pilots	9 Geo. II. xi. 1; 10 Geo. II. iv. 1
Of churchwardens and vestrymen, and of those who vote for them	22 Geo. II. xvi. 2
Of justices of assize	31 Geo. II. iv. 9, 10
Of measurers of timber	13 Geo. III. xii. 2
Of attornies at law, solicitors, and proctors	14 Geo. III. xiv. 1, 4
Of the secretary of the island, provost-marshal-general, clerk of the supreme court, and register in chancery and clerk of the patents	15 Geo. III. vii.
Of voters for representatives in assembly	21 Geo. III. xv. 7, 8
Of representatives in assembly	19
Of jurors on writs of enquiry for emblements	25 Geo. III. i. 1
Of surveyors	31 Geo. III. xxii. 11

**Quarter-casks of wine.**

To contain not less than 31 gallons	11 Geo. III. xi.
In payment of duties, previous to gauging, each is to be estimated to contain as above	28 Geo. III. xv. 2

**Quarter-sessions.** See COURTS of quarter-sessions.

**Quaps.** See WILD pigeons.

**Quieting possession.** See POSSESSION.

**Qui tam actions.** See REVENUE.

**Quit-rents.**

Persons who, within twelve months, account with receiver-general for monies due for quit-rents, and swear they know or believe they were paid to such a year, but the receipts are lost, and pay, or secure to be paid in a short time, their arrears of quit-rent, shall be fully acquitted, and may have a certificate thereof, on paying him 2 s. 6 d.

8 Gul. III. i. 1  
Parcels



- Parcels of land, patented before the 25th of June, 1671, are to pay 1 s. yearly for every 30 acres; parcels under 100 acres in proportion; every 100 acres 2 s. 6 d. and a greater quantity in proportion; and all lands granted from that time to the 12th of March, 1674, or that shall hereafter be granted, are to pay one halfpenny *per* acre, and foot-land one halfpenny *per* foot for two sides of the square added together; as an established quit-rent for ever 2 *Ann.* vii. 5
- Office for receiving quit-rents to be kept open for a month, twice in every year, at St. Jago de la Vega and at Kingston 6
- Those due before Michaelmas, 1692, acquitted, in consequence of the earth-quake; 7
- And those due at Michaelmas, 1703, are to be paid by the 1st of May, 1704, or security given, and receiver-general to give certificates thereof, being paid 2 s. 6 d. 8
- Non-residents to pay quit-rents in eighteen months after Feb. 1, 1703, or forfeit their lands. If they fail, marshal to make proclamation in the supreme court, the two next courts after failure, and seize them; when they may be re-granted 9
- Trustees and guardians are to pay quit-rents for infants estates, unless they have no assets 13
- Dockets of all deeds and patents for lands are to be sent by secretary to receiver-general, for better collecting quit rents 8 *Geo.* I. iv. 1
- Quit-rents are to be applied solely to the support of the government of this island, and its contingent charges 1 *Geo.* II. i. 20
- Owners of land, or their representatives, are, by 25th March next, to account with receiver-general, and pay or give bond. On neglect, 12 *per cent.* interest to be charged 6 *Geo.* II. vii. 1
- They are in future to pay, or give bond payable in six months, if exceeding 20 l. within every three years, or 12 *per cent.* be charged from the last payment 2
- Explanation of the above clause, 13 *Geo.* II. vii. 1
- And allowance to be made for over-charges of interest 2
- A book to be kept by the secretary for recording the receipts for each parish 6 *Geo.* II. vii. 7
- Interest of 12 *per cent.* on outstanding quit-rents, to be charged after they have been due three years 13 *Geo.* II. vii. 1
- Lands of absentees are not to be forfeited for non-payment of quit-rents, till after the process herein directed 9 *Geo.* III. ix.
- All quit-rents due before Jan. 1, 1760, and all interest due on quit-rents up to Nov. 1, 1784, acquitted. Persons duly rendering accounts of their lands may pay, or give bonds bearing 6 *per cent.* interest, payable in twelve months, for principal of quit-rents from Jan. 1, 1760; for which receiver-general is to give discharges. If bonds not duly paid, after payment demanded, supreme court is to grant writs of *venditioni exponas* against body and goods of persons from whom payment has been demanded, as if judgment had been obtained. Receiver-general is to mark the sums due on such writs, and deliver them to provost-marshal; who is to cause them to be executed, and levies to be made, until the full sums marked, with all interest and costs, be discharged; which he is to pay to receiver-general. Marshal may also levy poundage, at the rate of



5 *per cent.* for the first 100 *l.* and 2  $\frac{1}{2}$  *per cent.* for every other 100 *l.* These writs are to have priority of all preceding prior writs, bonds, mortgages, &c. Bonds given by attornies, agents, or executors, must express for whom given; and process is not to issue against such attornies, &c. but against the property or persons of principals, unless no property of theirs can be found 24 Geo. III. xi. 8.

If owners, proprietors, or possessors of land, in their own right or in that of their wives, or mortgagees in possession, guardians, or any persons in possession of land in right of others, neglect to give-in, and pay or give bond in manner and at the time required, they are to be chargeable with interest at the rate of 12 *per cent. per ann.* after three years from the time they become due, and are, for each offence, to forfeit 100 *l.* No guardian, trustee, administrator, or other manager, is to charge the owner or proprietor with any penalty, or additional burthen of interest, imposed by this act, unless the neglect is occasioned by such owner or proprietor

Persons who have paid interest for quit-rents from Jan. 1, 1760, are to be allowed a discount, out of their quit-rents which are or shall become due, for all payments exceeding what was due, at the time of payment, for principal; but those only who duly give-in are to have this relief, and that mentioned respecting interest in *cl.* 8

Persons who swear or affirm falsely are to suffer as for wilful perjury

17; 29 Geo. III. xii. 15

Persons who, by themselves, their agents or overseers, having had due notice, and affidavit thereof made by constable, do not appear and give-in, are to be taxed one sixth part more than they should have been charged had they given-in; which tax is to be laid according to the preceding givings-in, or according to the best information which can be obtained upon oath. If default be occasioned by neglect of an agent or overseer, he is to pay the assessment, or be liable to the same penalties as are directed against the principal, constituent, owner, or employer. But if no distress of the agent or overseer can be found in the precinct, the goods, chattels, and slaves, of the principal, &c. are to be distrained and sold

24 Geo. III. xi. 18

Collecting constables are to be amenable to grand court, and they and their securities may be proceeded against as the collectors of other public taxes

21

Clerks of the vestries, except that of Kingston, are to be paid 25 *l. per ann.* by receiver-general, for additional trouble in making out quit-rent rolls (*as first directed by this act, and afterwards by 29 Geo III cap. xii.*)

23

If any justice, clerk of the vestry, constable, receiver-general or his deputy, or collecting constable, neglect their duty herein, they are to forfeit 100 *l.* for each offence

24

Persons who own, hold, enjoy, inherit, occupy, or possess, lands, in their own right or in that of their wives, must, on every 28th of March, or within thirty days thereafter, give-in, or cause to be given-in, on oath or affirmation, before the justices and vestry of the parish where the lands lie, an exact account, in writing, of the number of acres they own, hold, &c. in that parish, and, if foot-land, a similar account of the number of lots, with the quantity of feet

in



- in each lot, according to the best of their knowledge and belief. The oath, in form herein specified, is to be written at the bottom of each account 29 *Geo. III. xii. 2*
- Mortgagees in possession, guardians, attornies, agents, trustees, executors, and all other persons in possession of lands in right of others, must, within the same time and in the same manner, give-in an exact and separate account of the lands they hold, for each particular person or constituent, in the parish where they give-in. Their oath is to be written at the bottom of the account, in form also here set forth. The oaths or affirmations may be taken before any justice of peace of the island 3
- One halfpenny *per* acre is to be paid yearly for acre-lands; and one halfpenny *per* foot, two sides of the square being added together, for foot-lands. Lands may be surrendered, oath being made that the owners have not received profit from them equal to the sum due for quit-rents, and that they do not make the surrender fraudulently 4
- Accounts of lands given-in in each parish are to be transcribed in a book, in two months after the day above appointed for giving-in, and a copy thereof, attested by two justices, is to be sent to receiver-general in one month more 6
- Persons who, by themselves, their agents or overseers, do not appear and give-in, at the time before directed, are to be taxed according to the best information justices and vestry may receive. The same provisions are made, in case of default arising from agents or overseers, as are by 24 *Geo. III. cap. xi. cl. 18* 7
- Clerks of the vestries in the several parishes are, within thirty days after giving-in, to make out fair rolls of the quantities or parcels of acre and foot land given-in, and of the monies payable yearly thereon, and deliver them (with a warrant to each, ready to be signed by two or more justices of the parish) to the collecting constables; who are to collect the monies, and pay them to receiver-general in thirty days after they receive the rolls. If payment refused, they may distrain and sell effects and slaves; but slaves are not to be taken, if other distress can be had 8
- When constables are appointed in the different parishes for collecting the poll-tax, they must, before the poll-tax rolls are delivered to them, give bond, with one or more securities (to be approved of by commissioners of public accounts), for collecting and paying in quit-rents; which bonds are to be transmitted to receiver-general 9
- A list of persons in arrear for quit-rents on 31st December, 1788, with the sums they owe, to be made out, and published in the Royal Gazette 10
- Such persons may, before 28th May, 1789, enter into bond for payment of the sums they owe, within twelve months, together with 6 *per cent.* interest. If such bonds become forfeit, they are to be proceeded on, and have priority, as directed by 24 *Geo. III. cap. xi. cl. 8.* Those persons who pay such arrears in cash before 28th May, are to be allowed 15 *per cent.* discount 11
- Receiver-general must, within thirty days after said 28th May, transmit lists of persons so in arrear for quit-rents to the respective clerks of vestry; who are, in ten days after receipt, to cause them to be transcribed in books, and deliver attested copies or rolls thereof to collecting constables; and they are to collect



- the arrears, and pay them to receiver-general in thirty days after receiving the rolls, retaining 5 *per cent.* for their trouble. No relief or deduction is, on any pretence, to be allowed on arrears. If payment of arrears refused, collecting constables may proceed in manner directed in *cl. 8*, for quit-rents 12
- Collecting constables, before arrearage-rolls are delivered to them, must give security in manner directed, in *cl. 9*, for collectors of quit-rents 13
- Collecting constables of arrears, and their securities, are to be proceeded against, in cases of default, as directed by 24 *Geo. III. cap. xi. cl. 21*, against collectors of quit-rents 14
- If any justice, clerk of the vestry, receiver-general, or collecting constable, neglect their duty herein, they are to forfeit 100 *l.* for each offence 16
- Persons who gave-in, and offered payment or bond, according to the above act, *cl. 11*, but could not get their accounts settled, and who shall pay arrears to 31st December, 1788, in cash, are to be allowed the 15 *per cent.* discount, or are otherwise to give bond for the full amount of their arrears, as thereby directed. Payments in cash are to be made by the 15th of May next, or bonds be given by that day, payable on the 28th of July next. 30 *Geo. III. xiv. 1*
- All persons, when giving-in, are to set forth in writing, upon oath (herein specified), the number of acres or lots, and the quantity of feet in each lot, which shall have been sold or conveyed by them since the former giving-in, with the names and residence of the persons to whom they have been conveyed. Persons who hereafter neglect to give-in, or to have their lands given-in for, at the time and in form directed by this and the above act, are to forfeit 100 *l.* besides being assessed; but they are to have redress from agents, if the neglect be owing to them 2
- When collecting constables cannot find distress, either for quit-rents or arrears, they must deliver attested accounts thereof to receiver-general when they pay in monies received; who must, in twenty days after, transmit a copy of such accounts to the clerk of the vestry of any parish where he believes distress can be had; which clerk, as well as the justices of the parish, are to take such measures for the recovery of the monies as they might for quit-rents or arrears due for lands in their own parishes, under the penalties directed in the two former acts. Collecting constables are to use the same means for collecting the quit-rents mentioned in such rolls, as for the recovery of the usual quit-rents, and are to pay them to receiver-general in thirty days, deducting 1 *s.* poundage. Collecting constables and their securities are to be proceeded against for default as directed by 24 *Geo. III. cap. xi. cl. 21* 3
- If any justice, vestryman, clerk of the vestry, receiver-general, or collecting constable, neglect their duty, contrary to this and the former act, they are to forfeit 100 *l.* for each offence 4
- Persons who own, hold, enjoy, &c. lands, in their own right or in that of their wives, mortgagees in possession, guardians, or any persons in possession of lands in right of others, are hereafter to give-in for them before the justices and vestry of the parish wherein they actually reside, and where their goods, chattels, and slaves, may be; which givings-in the clerk of the vestry of the parish 13



is to insert in the roll, and deliver it, with the usual warrant, to the collecting constable, as well as transmit a fair copy thereof to the receiver-general, in the usual manner

31 Geo. III. xviii. 1

Several persons having applied for their accounts, but omitted to come to a settlement, receiver-general is, immediately after the 1st of June next, to transmit, to the respective clerks of vestries, arrearage-rolls for all monies appearing due; which rolls are to be delivered, with usual warrants, to collecting constables; who are to collect or levy for them, in manner directed by the above acts  
Such persons, paying the sums due by them before the 1st of June next, are to be entitled to the discount of 15 per cent. as allowed by cl. 11 of 29 Geo. III. cap. xii.

2

3

See COLLECTING constables--FORFEITED lands--POSSESSION--RECEIPTS.

Rates. See HORSES.

Raffling. See LOTTERIES.

Ranging timber. See BOARDS, plank, scantling, and ranging timber.

Rations. See SUBSISTENCE of the troops.

Real estate. See BREACHES of trust, &c.--ISSUE of negroes.

Rebellious negroes.

THREE fourths of all losses sustained by their means are to be made good by the public

11 Geo. I. viii. 1

See PARTIES.

Receipts.

To be given at public wharves for goods left 11 Ann. iii. 7; 25 Geo. III. v. 1

Persons paying quit-rents are to have their receipts recorded in a month after date, under penalty of 10 l.

6 Geo. II. vii. 7

To be given by marshals for properties they seize

8 Geo. II. v. 14

See DEEDS--FORGERY.

Receiver-general.

To keep his office at Kingston, under penalty of 50 l. for every month's neglect

5 Gul. & Mar. iii. 3

To continue his office at Port-Royal, under like penalty

iv. 7

To administer oaths respecting payment of quit-rents, and give certificates of their being settled

8 Gul. III. i. 1

To have all fines, forfeitures, and amerciaments, paid to him

5

To enquire after all persons who have not paid up their quit-rents from Michael-

mas, 1692

2 Ann. vii. 12



- To have a particular account given to him of all transfers of land, and make entries thereof 14
- To keep duplicates of all revenue books 16
- If he neglect duties herein required he forfeits 500 *l.* 17
- Establishment of his fees, in 1711 10 *Ann.* iv. 26
- Table of the fees allowed by this act is to be always open in his office, under penalty of 100 *l.* and if he take greater fees he forfeits the same, and becomes incapacitated 34
- No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100 *l.* 35
- Secretary to send him dockets of all deeds and patents for lands, that he may know from whom quit-rents are due 8 *Geo.* I. iv. 1
- If powder wanting for Fort-Charles, he is to provide it 1 *Geo.* II. i. 6
- To administer oath on receiving manifests, under penalty of 500 *l.* 9
- To have the same powers as the officers for collecting the revenue in any of the plantations 10
- Receiver-general, or his deputy, to attend at his office, on all working days, from nine to eleven and from two to four, under penalty of 20 *l.* for every default 11
- He is to retain 5 *l.* *per cent.* for receiving and paying monies actually received and paid by virtue of this act. 12
- To keep a distinct account of the fortification fund; and, as often as required by the governor, council, and assembly; when sitting, or any committee thereof, give an account, on oath, of all disbursements out of that fund, and of all monies arising by this act. He must give 5000 *l.* bond, with security, for performance of these duties. If he neglect to give bond, or misapply any part of the fortification fund, he forfeits 2500 *l.* He must not pay any part of the revenue without a warrant, under forfeiture of treble the sum paid 16
- Only he, or his deputy, is to receive quit-rents, fines, escheats, imposts, &c. and he is still to account with the auditor-general, or such other person in Great-Britain as shall be appointed 20
- To have an account of all fines, forfeitures, and amerciaments, for thirty years past, transmitted to him 6 *Geo.* II. vii. 9
- All those uncollected are to be entered in his books, and the respective persons charged with them 10
- Accounts of future fines, &c. are to be sent him in ten days after each court, to be entered in his books 11
- To take escheat bonds, on being paid 10 *s.* and to charge obligees in revenue books 31 *Geo.* II. xviii. 1
- On bond with security being given, he is to grant a certificate thereof 2
- To have certified estreats of fines, &c. delivered to him, in a limited time, by clerks of crown, court, and peace 1 *Geo.* III. xiii. 1, 2
- If none incurred, or if any remitted, they are to certify it to him 4
- Dockets of judgments, informations, &c. appertaining to the revenue, are to be delivered to him, twenty days before each court, by clerk of supreme court; 6
- As likewise, by the first Monday in each court, lists of process, and of monies received,



- received, for the revenue, by provost-marshal; who is to pay him the monies in three days thereafter 7
- If monies, certified as received, are not paid over to him, he is to report failure to attorney-general 8
- He is to keep books of entries of estreats and dockets of judgments, by way of debtor and creditor, under penalty of 100 l. 9
- On payment of quit-rents due for lands of absentees informed against, he is to search quit-rent books, and grant receipts and certificates, being paid 2 s. 6 d. 9 Geo. III. ix. 2
- He may require collecting constables of public taxes to render their accounts, and pay him monies received, every two months; 13 Geo. III. xi. 1
- And, if they make default, he is to complain to grand court, that attachments may issue; after which, he is to take out writs of *venditioni exponas* against body and goods of their securities, and like writs against collecting constables not attached, or against goods only of those who shall be attached 2
- Commissioners of public accounts are to adjust accounts of all funds and taxes with him, and inspect the public cash in his hands as often as they think proper 15 Geo. III. iv. 1
- He is to keep, in a separate book, one general account of all public cash received and paid by him; which he is to balance every week, under penalty of 50 l. for each neglect 2
- He, or his deputies, empowered to receive duties for support of the public hospital; 18 Geo. III. xiv. 1
- And they are not to clear out vessels till such duties are paid, under penalty of 50 l. 2
- He is to pay amount to treasurer thereof; 3
- And be allowed 5 per cent. for his trouble 4
- To sell such of the king's slaves as may at any time come into his possession, giving a month's notice in the form herein specified, and selling only one in a lot 19 Geo. III. v. 2
- He is to proceed against collecting constables of quit-rents, who do not make payments as by law directed, and against their securities, in the manner above directed (13 Geo. III. cap. xi. cl. 2) against collecting constables of other public taxes 24 Geo. III. xi. 21
- He is to forfeit 100 l. for each refusal or neglect, contrary to the meaning of these (quit-rent) acts 24; 29 Geo. III. xii. 16; 30 Geo. III. xiv. 4
- To pay gaol fees of insolvents who are unable to pay them 28 Geo. III. viii. 5
- To apply surplufage of monies, arising by the revenue act, in aid of appropriations in money-bills xiii. 1
- Is to pay for rations of the troops, out of proceeds from any money-bills 30 Geo. III. ix.
- When he receives accounts from collecting constables, that they cannot find distress for quit-rents, he is, in twenty days afterwards, to transmit copies thereof to clerks of vestries of such other parishes where he believes distress may be obtained xiv. 3
- He is, when necessary, to borrow money at 8 per cent. in order to enable church-wardens or collecting constables to pay parties 31 Geo. III. i. 2
- He



- He is to pay for provisions parties are supplied with, 11  
 And hire of carriages and cattle (with damages that may have occurred) im-  
 pressed by commanders of parties; 12  
 Also for slaves killed or disabled therein; 13  
 And he is, if necessary, to provide parties with arms 14  
 Provost-marshal is to deliver to him, the second Wednesday in each grand court,  
 lists of all process lodged with him, and of the returns thereto, and of all fines  
 received by him, in which the revenue is interested 32 Geo. III. xvii. 6  
 He is to repay marshals money they advance to crown witnesses 21  
 See ANNOTTA-BAY--CLEARANCES--DUTIES--GRAVESEND--KINGSTON--MARTHA-  
 BRAE, harbour of--MILITIA--PORTS of entry and clearance--SEIZING officers.

### Receivers of stolen goods.

- Persons who receive, buy, or take in as pawns or otherwise, any plate, jewels,  
 apparel, furniture, any sorts of produce, or other articles whatever, knowing  
 them to have been feloniously obtained by white or free people, or by slaves,  
 and persons who abet, maintain, conceal, &c. such felons or thieves, knowing  
 them to be so, are to be deemed accessaries to the felonies, equally criminal  
 with the perpetrators, and, being convicted, are to suffer death as principals  
 in felony 15 Geo. III. x. 1  
 If principals are either convicted of felonies, stand mute, or challenge above  
 twenty of the jury, the same proceedings may be had against accessaries, either  
 before or after the fact, as if the principals had been attainted, although they  
 be by any means delivered before attainder; and accessaries, if they be convict-  
 ed, stand mute, &c. are to suffer the same punishment as they would have  
 done had principals been attainted 2  
 Where thieves cannot be produced, in order for conviction, receivers may be  
 prosecuted and punished as for misdemeanors; which, if principals are after-  
 wards convicted, exempts receivers from punishment as accessaries 3

### Recognizances.

See FINES, forfeitures, and amerciaments--LIMITATION--MARTIAL law.

### Records.

- Secretary and clerk of the court to examine records, and to direct the substantial  
 binding of them 11 Ann. iv 1  
 New copies to be made of deeds, plats, patents, and other papers, that require it;  
 which copies are to be valid. Original records to be preserved, and oath be  
 made that the copies are true 2  
 Clerk of the patents to have a distinct book for each parish, and therein transcribe  
 and copy the patents and plats; to preserve the originals, and keep an alphabet  
 of the names of patentees 3  
 Presses to be provided for preserving the public records, under lock and key.  
 Books to have leathern covers, and double covers. Secretary to have two dis-  
 tinct books, for keeping alphabets; in one, the name of each grantor, feoffor,  
 donor, &c. in the other, the name of each grantee, feoffee, donee, &c. 5  
 Officers



Officers neglecting their duty to forfeit 100 l.

7

If any persons steal, or make a false entry or erasure in, any book wherein any patent, deed, conveyance, will, or testament, is recorded, in the secretary's office, or any record of a judgment or decree in the office of the clerk of the supreme court, or of the clerk of the patents and register in chancery, or any alphabet belonging thereto, they are to be punished as if the fact had been committed in England

4 Geo. II. v. 1

When originals are lost or mislaid, &c. records of letters patent enrolled in the secretary's office; of deeds duly executed, &c. and enrolled in any office of record; and of last wills duly executed and proved, are to be sufficient evidence of titles to any estate, real or personal, claimed under them; and they are to be allowed in all courts of law and equity

2

Transcripts lately made are to be deemed valid, being attested by the secretary;

11 Geo. II. iv. 1

And those hereafter to be made, must be attested by him before the chief justice; after which they are to be deemed authentic records

3

See INVENTORIES--LAWS--PUBLIC buildings--REGISTER in chancery, and clerk of the patents--SECRETARY.

#### Records of judgments.

Satisfactions must be entered thereon by clerks of courts

11 Geo. III. xx. 1

Rectors. See BENEFICED ministers.

Re-exchange and damages. See BILLS of exchange.

#### Refined sugar.

A duty of 6 d. per lb. to be paid on importation

1 Geo. II. i. 1

#### Reformades.

No person, who has borne a commission, is to serve subordinate to his former rank, unless degraded by a court-martial

33 Car. II. xxi. 1

See MILITIA.

Regimentals. See MILITIA.

#### Register in chancery, and clerk of the patents.

Two plats of every survey to be returned into his office;

35 Car. II. vi. 5

One of which he is to affix to the grant, and keep the other in the office

6

May accept regular surrender of lands, and give a certificate (expressing particulars) thereof, which, being acknowledged by him before the governor or one of the judges of the courts, and recorded, shall be deemed a total resignation, and the person acquitted from all growing rents

8 Gul. III. i. 3; 2 Ann. vii. 10

Establishment of his fees, in 1711

10 Ann. iv. 23

Table of the fees allowed by this act is to be always open in his office, under pe-

nalty



- penalty of 100 *l.* and if he take greater fees he forfeits the same, and becomes incapacitated 34
- No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100 *l.* 35
- To tax bills of costs in chancery; and if he allow more than settled by this act he forfeits 500 *l.* if prosecutions brought within two years after offences 36
- Many of the plats, plat-books, and other records in his office, being much decayed, and having been transcribed, such transcripts are to be deemed legal records, when he shall have attested them before a judge of the grand court, and entered his affidavit in each particular book of transcripts 23 *Geo. II.* xii.
- He is not to issue patents for escheats, till he receive certificates from receiver-general that bonds are properly entered into 31 *Geo. II.* xviii. 2
- He is, under penalty of 500 *l.* to keep the records and other proceedings, and alphabets, in his office, in good repair, at his own charge; and make fair copies of such as shall become impaired by use, or decayed by time; but he is obliged to transcribe only such as have been entered during his continuance in the office. His successors are, under penalty of 2000 *l.* to give bond, before they enter on office, that they will, at their own charge, preserve the records and proceedings they receive, and alphabets, in good order, and have such of them transcribed as require it 9 *Geo. III.* xvii. 2
- The present officer is to examine all transcripts so made, and attest them before a judge of the grand court, under penalty of 500 *l.* after which they are to be deemed authentic 3
- He is also to cause an inventory to be made of all books of record and alphabets in his office, at the charge of the public. The present officer, and all persons who shall in future hold the offices, are, on leaving them, to deliver such inventories to the new register and clerk of the patents, and both are to sign them; copies of which, also signed, are to be sent to the secretary's office, to be evidence in case of embezzlement. If any register and clerk of the patents neglect or refuse to take or sign such inventories, or to cause copies to be made and signed, he is to forfeit 500 *l.* 4
- All records and proceedings appertaining to his office are to be recorded at length within ninety days after delivered, under penalty of 50 *l.* for each neglect 5
- No person is in future to execute this office till he, and two securities, have entered into recognizance before the chief justice, in the sums mentioned in *cl. 4*, for the faithful discharge of his duty (which recognizance must be signed by him and his securities in presence of the chief justice, and recorded in the office of the clerk of the crown), under penalty of 1000 *l.* and being rendered incapable of holding the office 15 *Geo. III.* vii. 2
- Those hereafter entering on the office are to give four days previous notice, to the clerk of the crown and attorney-general, of their intention to enter into recognizance, together with the names and additions of their proposed securities 3
- He is to be bound in 5000 *l.* and his securities in 2500 *l.* each 4
- A table of the fees of the masters in chancery is to be kept up in the most public place in his office, under penalty of 50 *l.* 28 *Geo. III.* x. 6
- He



He is to tax bills of the masters, if disputed;

For each of which he is to be paid 1 l. 5 s.

7

8

See RECORDS--SURRENDER of lands.

### Register of the admiralty.

Table of fees allowed, by *cl. 29*, to be taken in this court, is to be always open in his office, under penalty of 100 l.

10 Ann. iv. 34

No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under the same penalty

35

Register of vessels. See DUTIES.

### Registers.

Churchwardens of each parish are to provide a well-bound book, wherein the minister, or, if none, the churchwardens, upon notice thereof by masters of families, are to register the times of all births, christenings, marriages, and burials, within the parish, under penalty of 5 l. for each default; and for each of which registers 1 s. 3 d. shall be paid

33 Car. II. xviii. 7

Register-books are to be deemed authentic records; and false entries, erasures, and embezzlements, are to be punished according to the laws of England

8

### Remainder.

See POSSESSION -- PUBLIC workhouses -- RENTS -- SALE of slaves under venditioni exponas -- SLAVES.

Removal of levies. See LEVIES.

### Rent-charge.

If it arise from lands or houses which pay public and parochial taxes, it constitutes a freehold, and confers the right of voting for members in assembly;

21 Geo. III. xv. 7

But, if required, it must be attested, and that the claim is not fraudulent

9

### Rents.

If tenants for any term of life, lives, or years, or those possessing under them, hold over any lands, tenements, slaves, or hereditaments, after their term is expired, and after demand made, and notice in writing given, by their landlords or lessors, or persons to whom remainder or reversion belongs, or their legal agents, for delivering up possession, they are to pay at the rate of double the yearly value of the lands, &c. for so long as they are detained; which may be recovered in any court of record, by action of debt, wherein the defendants must give special bail, and against the recovering whereof there is to be no relief in equity

25 Geo. III. vii. 1

Where demises are not by deed, landlords may recover reasonable satisfaction for the use and occupation of the lands, slaves, &c. held or occupied, in an action on the case; and if, on the trial, there appear to have been any parole demise



- or other agreement, whereon a certain rent was reserved, the plaintiff may make use of it as an evidence of the *quantum* of the damages
- Where a lessor or landlord, being himself a tenant for life, dies before or on the day when rent was payable, his executors or administrators may, in an action on the case, recover of the under-tenant such rent as was due at the time of the lessor or landlord's death
- If tenants give notice to quit premises, and afterwards do not deliver them up at the time mentioned in the notice, they are thenceforth to pay double rent for the whole time they remain in possession
- Rents may be distrained for in time of martial law
- 31 Geo. III. ii. 4
- See WRITS of error.

### Repeal.

- Of cl. 2 of 3 Ann. cap. ii. prohibiting northward shingles to be used at Port-Royal
- 4 Ann. iv. 2
- Of all clauses in former acts particularly enumerating fees only
- 10 Ann. iv. 37
- Of all acts and clauses inconsistent with the revenue act
- 1 Geo. II. i. 21
- Of 2 Geo. II. cap. ii. to prevent dangers arising from papists
- 3 Geo. II. xii.
- Of cl. 12 of 6 Geo. II. cap. vii. directing fines, &c. to be paid to receiver-general, or his deputy, only
- 12 Geo. II. ix.
- Of cl. 33 of 8 Gul. III. cap. ii. respecting trials of persons manumitted
- 21 Geo. II. vii. 2
- Of so much of 33 Car. II. cap. xviii. cl. 1, as relates to the days for electing churchwardens and vestrymen
- 22 Geo. II. xvi. 3
- Of part of cl. 2 of the above act, and of any others heretofore made, which inflict fines on justices and vestrymen for non-attendance at vestries
- 6
- Of 6 Geo. II. cap. v. and 9 Geo. II. cap. x. relating to the parish of St. James
- 23 Geo. II. viii.
- Of cl. 10 and 11 of 35 Car. II. cap. vii. obliging judgment creditors to take produce, when appraised at Port-Royal, in payment
- 24 Geo. II. xix. 9
- Of 22 Geo. II. cap. x. for giving a bounty to artificers to come over, and exercise their trades
- 31 Geo. II. xiii.
- Of 22 Geo. II. cap. iii. respecting Port-Antonio
- xix. 6
- Of cl. 7 of 17 Geo. II. cap. x. relating to the free-school of St. Jago de la Vega
- 32 Geo. II. xvii.
- Of cl. 2 and 6 of 1 Geo. III. cap. xix. respecting barracks in St. Mary's
- 2 Geo. III. vii. 3
- Of cl. 1 of 11 Geo. II. cap. ix. appointing trustees of Manning's free-school
- 9 Geo. III. iv. 1
- Of cl. 1 of 13 Geo. II. cap. x. appointing trustees of Vere free-school
- vi. 1
- Of such part of 6 Geo. III. cap. iv. cl. 1, as relates to rents of foot-lands belonging to St. Catherine's parish;
- 11 Geo. III. xiv. 11
- And of such part as respects acre-lands
- 21 Geo. III. xiii.
- Of cl. 2 of 9 Geo. I. cap. vi. regulating dimensions of staves and shingles
- 13 Geo. III. xii. 6
- Of that part of 9 Geo. III. cap. vi. cl. 2, which appointed the day for choosing five freeholders as trustees of Vere free-school
- xv. 1
- Of cap. xvi. of 14 Geo. III. respecting the fraudulent passing bonds, &c.
- 14 Geo. III. xxviii. 1
- Of



- Of the proviso to *cl. 1* of *9 Geo. II. cap. vi.* respecting Wolmer's free-school  
15 *Geo. III. xiv. 1*
- Of *8 Geo. III. cap. xiii.* "for building a bridge over the Rio Cobre"  
xxii. 1
- Of *cl. 5* and *6* of *2 Ann. cap. vi.*; and of *cl. 1, 5, and 6,* of *11 Ann. cap. iii.* directing white men to be kept in, and regulating the rates and numbering of, wherries, &c.  
xxiv. 1
- Of part of *cl. 23* of *15 Geo. III. cap. xxii.* relating to the Spanish-Town road  
16 *Geo. III. xxi. 10*
- Of *6 Geo. II. cap. ix.* relating to the parish of St. Mary  
17 *Geo. III. xviii. 1*
- Of *cl. 2* of *12 Geo. II. cap. x.* respecting the parish of Portland  
xxvi. 1
- Of *15 Geo. III. cap. xxiii.* for establishing patrolling parties, and preventing slaves being carried off  
xxix.
- Of *2 Geo. I. cap. i.* for hiring petty constables in the respective parishes  
18 *Geo. III. xvii. 4*
- Of *14 Geo. III. cap. x.* for erecting a free-school in Hanover  
xviii. 1
- Of such parts of *23 Geo. II. cap. xvi.* as compelled inhabitants of St. John's to repair the road from Spanish-Town to the red hills  
xxii. 1
- Of *30 Geo. II. cap. x.* for vesting runaway slaves in his majesty  
19 *Geo. II. v. 1*
- Of *12 Geo. III. cap. vii.* to encourage the breed of good and large horses  
xv.
- Of *6 Geo. II. cap. ii.* and of *29 Geo. II. cap. xiv.* respecting elections of representatives  
21 *Geo. II. xv. 1*
- Of such parts of clauses, in various acts, as impose restrictions, conditions, forfeitures, &c. upon the settlers in Portland  
xxii. 3
- Of those parts of *33 Car. II. cap. iv. cl. 1,* and of *5 Gul. & Mar. cap. vi. cl. 1,* which fixed the prices of meat  
22 *Geo. III. viii.*
- Of *8 Geo. II. cap. xiv.* respecting quit-rents  
24 *Geo. III. xi. 1*
- Of the compulsory parts of *cl. 1* and *4* of *1 Geo. III. cap. xix.* and of *1 Geo. III. cap. xxix.* for building barracks in certain parishes  
27 *Geo. III. iii. 1*
- Of *cl. 17* and *18* of *33 Car. II. cap. xxiii.* and of *cl. 13* of *35 Car. II. cap. vii.* respecting prisoners under execution for debt  
28 *Geo. III. viii. 1*
- Of all former clauses appointing the fees of masters in chancery  
x. 4
- Of *10 Geo. I. cap. ix.* relating to the parish of St. Elizabeth  
29 *Geo. III. i. 1*
- Of *6 Geo. I. cap. v.*; *12 Geo. I. cap. vi.*; *32 Geo. II. cap. xi.* and of *cl. 16* of *8 Gul. III. cap. ii.* relative to inveigling and carrying off slaves  
iii. 1
- Of *cl. 2* to *7, 11* to *16, 19, 20, 22,* and *26,* of *24 Geo. III. cap. xi.* respecting quit-rents  
xii. 1
- Of *15 Geo. III. cap. xiii.* concerning the parish of Westmorland  
xviii. 1
- Of so much of *10 Geo. I. cap. v.* as respects the dividing-line between Westmorland and Hanover, and of *cl. 1* of *6 Geo. II. cap. ix.* on the same business  
xxii. 1
- Of *29 Geo. III. cap. xvi.* respecting the transient tax at Montego-Bay  
31 *Geo. III. vi. 1*
- Of *31 Geo. II. cap. xvii.* and of *32 Geo. II. cap. xviii.* appointing commissioners of forts, fortifications, &c.  
x. 1
- Of *31 Geo. III. cap. xv.* respecting surveyors of land  
xxii. 21
- Of *28 Geo. III. cap. xvi.* regulating the maroon-towns  
32 *Geo. III. iv. 1*
- Of *30 Geo. III. cap. x.* for settling the militia  
x. 1



- Of 30 Geo. III. *cap.* iii. for licensing hawkers and pedlars. xiii. 1
- Of 20 Geo. III. *cap.* vi. empowering any judge of grand court to examine witnesses leaving the island. xvii. 15
- Of 33 Car. II. *cap.* ii. for regulating servants; and of the following acts and clauses respecting slaves: *cl.* 6. of 35 Car. II. *cap.* vii.; *cl.* 1 to 39, and 45 to the end, of 8 Gul. III. *cap.* ii.; 4 Geo. I. *cap.* iv.; 5 Geo. I. *cap.* ii.; 12 Geo. I. *cap.* vi.; 13 Geo. II. *cap.* vi.; 17 Geo. II. *cap.* xv.; 22 Geo. II. *cap.* xii. and xviii. also *cl.* 5 and 6 of *cap.* xxii.; 24 Geo. II. *cap.* xvii.; 1 Geo. III. *cap.* xxii.; 2 Geo. III. *cap.* x. (respecting free people as well as slaves); 12 Geo. III. *cap.* xv.; 19 Geo. III. *cap.* xii.; 28 Geo. III. *cap.* vi.; and *cl.* 32 of 29 Geo. III. *cap.* iii. xxiii. 1
- Also of 32 Geo. III. *cap.* xxii. (on the same subject), except as to the trial of crimes committed while that act, and the act it continued (29 Geo. III. *cap.* ii.) were in force 79
- Of 32 Geo. III. *cap.* xxvi. regulating the mode of selling new negroes. xxxiii. 1

**Replevins.** See WRITS of replevin.

**Representatives.** See ASSEMBLY, house of.

**Reputed lines.** See BOUNDARIES.

**Re-survey.** See PATENTS--SURVEYORS--WRITS of view.

**Retailers.**

See CLERKS of the markets--GAMING--GUNPOWDER--STILLIARDS--STRONG liquors.

**Return of writs.** See MARTIAL law.

**Revenge.** See MILITIA.

**Revenue.**

- A duplicate of each book of the revenue is to be kept at St. Jago de la Vega 2 Ann. vii. 16
- No part of it is to be paid without a warrant from the governor, with the consent of the council, expressing the sum to be paid, the purpose whereto applied, and how it became due 1 Geo. II. i. 16
- Estimate hereto annexed to be deemed to contain an establishment of the revenue, and accepted as part of this act 18
- If deficiency happen, the assembly is to make it good; and, if a surplus, the legislature to dispose of it 19
- All fines and other sums of money, wherein the revenue is interested, are to be certified, in a limited time, to attorney-general (that process may issue) and to receiver-general 1 Geo. III. xiii. 1, 2
- Dockets of judgments, informations, or *qui tam* actions, specifying the proportion belonging hereto, are to be certified, by the clerk of the supreme court,

to



to attorney-general and receiver-general, twenty days before grand court following that of which they are deemed judgments 6

Lists of all process, wherein the revenue is interested, with copies of returns, and of monies received applicable thereto, are to be also delivered them by the provost-marshal, on the first Monday in each grand court; and monies be paid in three days after 7

If monies certified as received are not paid by the respective officers, they are to be proceeded against by the attorney-general for recovery thereof 8

Public books, by way of debtor and creditor, are to be kept by receiver-general, who is to enter, on the debtor side, copies of all estreats and dockets of judgments delivered to him by the respective clerks, and, on the creditor side, all monies received by him on account thereof, or other discharges therefrom 9

Judges of grand court are to have the same authority as the barons of the exchequer, to hold pleas on the equity side thereof, in all matters concerning the revenue 17 Geo. III. xxvii.

Money arising from sale of king's slaves is to be applied to it 19 Geo. III. v. 3

Surplusage is to be applied in aid of appropriations in money-bills 28 Geo. III. xiii. 1

The second Wednesday in each grand court, provost-marshal is to deliver to attorney-general and receiver-general a list of all actions and other process lodged in his office, with a copy of the return made to each of them in the same court, and of all fines and monies he has received, in which the revenue is interested 32 Geo. III. xvii. 6

See COMMISSIONERS of public accounts--DUTIES--ESCHEATS--FINES, forfeitures, and amerciaments--GUNPOWDER--LICENSES--MANIFESTS--QUIT-RENTS.

**Reversal of judgments.** See ERROR in form--WRITS of error.

#### Reversion.

See POSSESSION--PUBLIC workhouses--RENTS--SALE of slaves under venditioni exponas--SLAVES.

#### Rhenish.

A duty of 5*l.* per ton to be paid on importation 1 Geo. II. i. 1

#### Rice.

Not to be sold by invoice, nor otherwise than by weight, under penalty of 40*s.* for each tierce or barrel so sold 11 Geo. III. xii.

#### Rights.

Barred by other persons having had five years possession of real properties, unless they belong to minors, &c. 10 Gul. III. i. 1

Barred by other persons having had seven years possession, if such possession was derived from any patent, &c. except estates belonging to minors, &c. who may bring actions within five years after incapacity removed 10 Ann. xii. 1

In copartnership, may be lost by non-appearance 8 Geo. I. v.

Of



Of prior patentees, and all other persons (except those incapable), barred by seven years possession

4 Geo. II. iv. 1

See *NULLA bona.*

#### **Rio-Bueno.**

Colin Campbell having completed a bridge over the Rio-Bueno river, trustees appointed for keeping it in repair, and for mending the road leading from the town of Rio-Bueno to Dry-Harbour; who are to cause gates or turnpikes to be erected, and tolls, at the rates herein prescribed, to be received, once in a day. Monies arising from the tolls vested in the trustees, to be applied in repairing the bridge and the road, and paying collectors; and surplus is to go to Colin Campbell, till he shall receive 1666*l.* 13*s.* 10*d.* with interest, at 6 per cent. from the passing of this act. If the tolls not paid, they may be distrained for

29 Geo. III. xix. 1

Collectors may enforce payment of the tolls; and must be accountable for them to the trustees

2

This act is to remain in force till Colin Campbell receives the sum and interest above mentioned,

3

And is to be deemed a public act

4

See *BARRACKS.*

#### **Rio-Cobre.**

Having lost its old channel, by means of the hurricane and extraordinary floods, governor and council are to appoint commissioners for clearing it, or altering its course

10 Geo. I. vii. 1

Persons throwing any rubbish into the river, or gullies that run into it, to forfeit 100*l.*

2

Commissioners may survey overflown lands, raise taxes, appoint surveyors, and press negroes, wains, and cattle, under restrictions

3

Tax may be levied or sued for

4

This act to bar actions

5

See *IRREGULAR grants--SPANISH-TOWN road.*

**Rio-Magno Cullp.** See *ST. ANN'S and St. Thomas in the Vale.*

**Rivers.** See *FISH.*

#### **Roads.**

To the Bath of St. Thomas the Apostle

11 Gul. III. iii. 1

From the Cave, in Westmorland, to the west end of St. James's

11 Geo. I. iii.

To be laid out from Port-Morant to Bath, by negroes belonging to certain properties

4 Geo. II. ii. 5

From Savanna-la-Mar in Westmorland, to Orange-Bay in Hanover

6 Geo. II. ix. 2

From St. Jago de la Vega to the foot of the red hills leading to Guanaboa

23 Geo. II. xvi. 1; 18 Geo. III. xxii.

From the same place to the Angels, leading to St. Thomas in the Vale

23 Geo. II. xvi. 4

From



From George Maddox's plantation, near Old Woman's Savanna in Clarendon, to Luidas in St. John's	8
From Bath to the sea	24 Geo. II. xv. 1
For wheel-carriages from Kingston to Bath	26 Geo. II. vii.
In St. Catherine's and St. Mary's	6 Geo. III. ii.
In St. Thomas in the Vale, and leading from that parish to Spanish-Town	xviii.
Penalties arising from stipends being unduly paid to, or received by, beneficed ministers, are to be applied to mending the roads in the parish where the trans- gression is made	11 Geo. III. xvi. 3
From Spanish-Town to the Ferry	15 Geo. III. xxii. 1--10
From the Ferry to Kingston	11--13
From Halfway-Tree church, to join the Spanish-Town road	14
From Spanish-Town to Kingston	15--36
From the same to the same	16 Geo. III. xxi.
From Joseph Price's Gate in St. Ann's, over Mount Diablo, to Rio-Magno Gully in St. Thomas in the Vale	28 Geo. III. iv.
From the town of Rio-Bueno in Trelawny, to Dry-Harbour in St. Ann's	29 Geo. III. xix.
From St. Jago de la Vega to the tavern at the Bog-Walk	32 Geo. III. vii.

**Roads at sea.** See HARBOURS.

**Rockets.** See FIREWORKS.

**Rock-Fort.**

Excepted from the forts to which officers and gunners are not to be appointed  
32 Geo. III. x. 4

**Rodney's statue.** See PUBLIC buildings.

**Rogues.** See PUBLIC workhouses--VAGABONDS and vagrants.

**Royal mines.** See IRREGULAR grants.

**Royal prerogative.**

Not to be affected by the application of fines and forfeitures to the revenue  
1 Geo. II. i. 20

**Rule of executors.**

Is to be pleaded generally against every creditor, and not against some, when ge-  
neral issue pleaded to others  
29 Geo. III. xiii. 3

**Rules and articles of war.** See LAWS and articles of war--PARTIES.

**Rum.**

Not to be sold, mixed or unmixed, without license, under penalty of 40 s.  
33 Car. II. v. 1  
Except



Except by the makers thereof, who may vend it pure  
*See* BREACHES of trust, &c.--DROGGERS--FOREIGN produce--NEW-COMERS--PRODUCE--PUBLIC wharves--RECEIVERS of stolen goods.

### Runaways.

Definition of this term, as applied to slaves taken up 32 Geo. III. xxiii. 29  
 Are not to be committed to gaol, but to workhouse only, if any in the parish 61  
*See* MAROONS--PARTIES--PUBLIC workhouses--SLAVES.

**Run goods.** *See* CLAIMANTS--DUTIES--SEIZING officers.

**Running land.** *See* SURVEYOR-GENERAL--SURVEYORS.

### Rusea's free-school.

Martin Rusea having, by his last will, bequeathed all his real and personal estate for establishing and supporting a free-school in the parish of Hanover, which will, by a decree in chancery, has been declared a good devise; and 14 Geo. III. cap. x. for establishing a free-school in that parish, not having answered the purposes intended; that act is hereby repealed 18 Geo. III. xviii. 1

- The trustees of the free-school are to be, the custos, representatives in assembly, three senior resident magistrates present at any meeting, the rector, and churchwardens, of the parish for the time being; any person who, in his life-time, gives 600 l. currency, or to that amount in lands or slaves, or an annuity of 30 l. for the use of the free-school; together with six freeholders of the parish (qualified to vote for members in assembly), chosen yearly, by a majority of freeholders present, between eight and twelve in the forenoon on the third Tuesday in February. Seven of the trustees (if either the custos, one of the representatives, a resident magistrate, the rector, or a churchwarden, be present) are to be a *quorum*; a majority of whom may decide business. If the six freeholders are neglected to be chosen, a *quorum* of the other trustees may transact all business

Trustees and their successors vested with all the properties of the charity, and incorporated, by the name of "The trustees of Rusea's free-school." Corporation may purchase or receive realties, without license in mortmain

They are invested with full powers; and are to have a common seal, which the custos is to keep

Administrator to render accounts, and pay balance, within three months

Trustees are to purchase land, and erect a proper house or houses, with out-houses, for the dwelling and use of one or more masters or ushers, for instructing poor children in reading, writing, arithmetic, Latin, Greek, the mathematics, or other learning they think proper; which masters and ushers, as well as officers and servants, they are to appoint, settle their salaries, and remove, if they see cause

Trustees are to admit as many poor children as they think proper, those of Hanover always having preference, and to dismiss them on ill behaviour, or at



fixteen years of age. They are also to enlarge or repair the buildings, as necessary; visit the school to reform disorders,	7
And make regulations for its government	8
Vestry may apply 500 <i>l.</i> <i>per ann.</i> out of the parish-tax, in aid of Rusea's bequest	9
Incidental expences of carrying the trusts into execution to be paid by the trustees	10
This is to be deemed a public act	11

Ruther's Island. See NORTH-EAST part of the island.

### St. Andrew's.

THIS name, given to the parish in 1677, confirmed 33 Car. II. xviii. 12

A part of this parish, bounded southerly by the harbour, constituted a distinct parish, by the name of Kingston 5 Gul. & Mar. iii. 1

*[In the year 1699, this parish and Kingston were declared to form one precinct, as appears by the act for that purpose being printed in the former editions of the laws; but no such act is now on record.]*

There being about six hundred acres of glebe-land, from which the rectors, by the uncertainty of the term for which they can rent it, derive little benefit, they are hereby empowered to grant leases thereof for twenty-one years; which leases are to be valid, notwithstanding the determination of any incumbency. The lands are to be leased on the best rents, but no other consideration taken

18 Geo. II. viii. 1

If rectors take any fine or other reward for granting leases, they forfeit treble its value, and the sum of 50 *l.* Such leases are also to be void, and the lands therein included be taken by the justices and vestry, for the use of the poor, during the life of that rector; who is not to grant leases of any other part of the lands

2

New leases are not to be granted till the old are expired, or otherwise determined Previous to granting leases, the rector must make oath, that he will do nothing willingly that may be a prejudice to his successors; which oath is to be recorded in the vestry-book, and be subscribed by him

4

Description of thirty acres of glebe-land, which must not be leased like the rest Churchwardens and vestrymen to be elected on the second Friday in January

5

22 Geo. II. xvi. 2

Three hundred acres of land, in this parish, vested in churchwardens of Port-Royal

3 Geo. III. iii. 1

50 *l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay,

30 Geo. III. xiii. 3

Under penalty of 50 *l.* on each defaulter

4

See BARRACKS--BENEFICED ministers--JAMAICA Spa--ST. ANDREW'S free-school--SPANISH-TOWN road.

### St. Andrew's and Port-Royal.

Ascertainment of the boundary-line between these parishes, according to a dia-

D d

gram



gram made out in 1772, and recorded in the secretary's office, *lib. xxxii. fol. 232*;

14 Geo. III. xxv. 1

Which is always hereafter to be esteemed the dividing-line between them

2

As some of the bordering settlements have lands in each parish, the taxes for sugar-plantations are to be paid to the parish where the works are now situate; and those for other settlements to that where the dwelling-house now stands

3

#### St. Andrew's free-school.

Two acres and a half of land, situate at Halfway-Tree, with buildings thereon, having been given by Nicholas Lawes, esquire, a free-school is, at his request, to be thereon established. The children of inhabitants of St. Andrew's and Kingston, and the children of all such other persons as shall settle to the value of 5*l.* *per ann.* or pay 50*l.* current money, are to be instructed (without charge) in reading, writing, Latin, Greek, Hebrew, arithmetic, merchants accounts, and the mathematics. Seven persons of the parishes of St. Andrew and Kingston are to be governors, and vacancies be supplied, by the remaining governors, in three months. They and their successors are fully incorporated, by the name of "The governors of the free-school of St. Andrew," and are to have a common seal, on which is to be engraved the arms of Nicholas Lawes

7 Gul. III. i. 1

Governors are to appoint teachers, receive scholars, supply vacancies, and repair the buildings

2

They are also to make regulations for the school, and visit it to reform disorders; as well as censure, suspend, &c. either masters or scholars, as they see occasion

3

Governors must not, for their own private benefit, buy, sell, rent, or lease, any of the land or tenements belonging to the school

4

Vacancy of a governor not being supplied, in the manner above directed, in three months, the governor of the island may appoint to it

5

#### St. Ann's.

This name, given to the parish in 1677, continued

33 Car. II. xviii. 12

Churchwardens and vestrymen to be elected on the third Friday in January

22 Geo. II. xvi. 2

The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies

9 Geo. III. xvii. 1

Horse-races may be run on the Bay

30 Geo. III. xii. 7

50*l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay,

xiii. 3

Under penalty of 50*l.* on each defaulter

4

See BARRACKS--BENEFICED ministers--RIO-BUENO.

#### St. Ann's and St. Thomas in the Vale.

Trustees (three being a *quorum*) appointed for surveying, altering, amending, and keeping in repair, the road leading from Joseph Price's Gate, in St. Ann's,

over



over Mount-Diablo, to Rio-Magno-Gully, in St. Thomas in the Vale; who are to cause gates or turnpikes to be erected, and tolls, at the rates here specified, to be received, before cattle or carriages pass. Persons, carriages, &c. employed on the road, are to pass free. Monies arising from tolls vested in trustees. If tolls be not paid, they may be distrained for, and distress sold.

28 Geo. III. iv. 1

Tolls are to be applied solely to the purposes of the road, and to building or repairing such bridges as may be thought necessary.

2

Persons enabling passengers to elude the tolls, and those eluding them, are each to forfeit six times as much as should have been paid, or 40 s. at choice of trustees; who, to prevent such frauds, may erect a turnpike across every lane or path leading from the road, and there take toll, so as it do not amount to a double charge in one day.

3

Trustees may appoint overseers of the road, and collectors of the tolls. They may order the gathering materials for the road from uncultivated lands (not disturbing any settlement or inclosed grounds), and convene a jury to value them. Persons making complaint of trespasses, two justices may hear them and trustees, and make order thereon; which is to be binding till matter decided in grand court.

4

Collectors empowered to enforce payment of tolls; and made accountable for them to trustees.

5

Disputes arising between the trustees and collectors, are to be decided as directed for cases of trespass, in *cl.* 4.

6

Trustees may agree with the possessors of land near the road, for yearly or half-yearly sums to be paid, instead of the tolls herein specified.

7

This act is to continue in force till December, 1796,

8

And be deemed a public act.

9

#### St. Ann's Par.

A beam, pair of scales, and set of standard weights, to be kept here. 23 Geo. II. vi. 1

See STANDARD weights.

#### St. Catherine's.

This name, given to the parish in 1677, confirmed. 33 Car. II. xviii. 12

Rector of the parish to be a governor of the free-school of St. Jago de la Vega

17 Geo. II. x. 2

Churchwardens and vestrymen to be elected on the second Tuesday in January

22 Geo. II. xvi. 2

The inhabitants of the town of St. Jago de la Vega having, by trustees, patented 1235 acres of land, to remain as an open savanna or common, which is more than can conveniently be cleared and kept open, the justices and vestry of the parish are to cause 500 acres thereof, nearest to the town, to be laid out for a savanna.

20 Geo. II. x. 1

They are to lay a distinct tax for clearing it (minding to charge those most who pasture cattle thereon), which is to be collected like the other parish taxes.

Persons thinking themselves aggrieved may apply at quarter-sessions

2

D d 2

Justices



- Justices and vestry are to appoint an overseer, allot or hire negroes, and purchase utensils, for clearing the savanna; 3
- And they are in future to lay a tax whenever it wants cleaning 4
- The remaining 735 acres of land are to be leased or rented out by the justices and vestry, either in whole or in parcels, for the benefit of the parish 5
- Justices and vestry may lay a tax on houses (rented or not rented) that are inhabited, and on trade and negroes, in St. Jago de la Vega, for repairing those streets and roads usually repaired by the inhabitants thereof 6
- The patentees of the 1235 acres of land, mentioned above, being dead, and many trespasses having been committed thereon, to the injury of the inhabitants, who are remediless, for want of a proper person to defend their title, the custos for the precinct, such justices of the precinct as are freeholders of the parish (and not otherwise), the vestrymen and churchwardens, and their successors, are hereby declared a body incorporate for that purpose, and no further; and empowered, when duly summoned and met in vestry, and not otherwise, to lease any part of the 735 acres, for stated terms and prices. No lease of the lots or parcels is to be made, assigned over, or bequeathed, to any negro, &c. who is incapable of voting for vestrymen or representatives in assembly, except such as already have grants, and such as pay parochial taxes, or serve in the militia of the parish 6 Geo. III. iv. 4
- Corporation may sue or defend suits in law or equity, by the name of "The vestry and churchwardens of the parish of St. Catherine," relating to these lands, or for recovery of debts, legacies, &c. due or bequeathed to the parish 2
- Rents arising are to be collected by the collecting constable, and by him paid to the churchwardens, who are to apply them, as directed by vestry, towards defraying the contingent charges of the parish 3
- Corporation are not to anticipate the application of the rents, nor direct payments to be made for other purposes than such as occur from year to year, nor for a larger sum than the annual amount 4
- This act was not to be effective till confirmed 5
- Justices and vestry empowered to allot or purchase land for erecting a market-house in St. Jago de la Vega, for the sale of fresh meats and fresh fish. They are to contract with workmen, purchase materials, &c. and defray the expence by a tax on the parishioners, not exceeding 700*l.* in the whole 11 Geo. III. xiv. 1
- They are to appoint a proper person or persons to take care of the market-house, and settle their salary 2
- If any white or free person offer to sell any fresh fish, between six and two o'clock, in any other place in the parish, within five miles of the town, they are to forfeit 20*s.* for each offence; 3
- And if slaves do so, magistrates of the parish are to award punishment, and the fish be forfeited to the poor 4
- Justices and vestry empowered to hire the stalls in the market-house, and required to apply the rents to keeping it in repair 5
- Churchwardens constituted a body politic and corporate, by the name of "The churchwardens of St. Catherine," for the purpose of recovering rents for the stalls in the market-house; 6
- For



- For which, when recovered, they are to be responsible to the justices and vestry 7  
 Free people killing any cattle must, before they are allowed to sell the meat in  
 the market-house, produce vouchers of the property, as well as the skins, to  
 the clerk of the market, under penalty of forfeiting the carcases, at discretion  
 of a magistrate 8  
 Justices and vestry to appoint manner and number of a nightly watch to be kept,  
 when necessary, in St. Jago de la Vega; 9  
 And to lay a tax on transient traders and on parishioners, not exceeding 100 l.  
*per ann.* for support of it 10  
 Such part of 6 Geo. III. *cap.* iv. *cl.* 1, as related to the rents of the foot-lands  
 therein mentioned, repealed; and such foot-lands allowed to be leased at 2 d.  
*per* foot, calculated on the measurement of two sides to the square; 11  
 Also such part of the same clause as related to the terms respecting acre-lands;  
 and the acre-lands allowed to be leased for such rents and periods as justices,  
 &c. think fit 21 Geo. III. xiii.  
 Regulations for the police of St. Jago de la Vega, which are to be enforced by  
 the magistrates and parochial officers 28 Geo. III. v.  
 Justices, churchwardens, and vestrymen, empowered to purchase lands for bu-  
 rial-grounds 30 Geo. III. xiii. 2  
 70 l. added to the rector's stipend; which justices, churchwardens, and vestrymen,  
 are to raise and pay, 8  
 Under penalty of 50 l. on each defaulter 4  
 See BENEFICED ministers--FREE-SCHOOL of St. Jago de la Vega--PASSAGE-FORT--  
 ST. CATHERINE'S precinct--ST. JAGO de la Vega--ST. JOHN'S--ST. THOMAS in  
 the Vale--SALT--WILD pigeons.

#### St. Catherine's and St. Mary's.

- Justices and vestries of the two parishes, in order to keep the roads therein in re-  
 pair, enabled to make allotments of cattle, carts, and negroes, or issue orders  
 to churchwardens for purchasing, at the parish charge, working cattle, carts,  
 crows, and other necessities for making and repairing the roads; all which  
 cattle, carts, &c. are to be under the direction of the waywardens; and church-  
 wardens, if necessary, are to purchase fodder, at expence of the parishes 6 Geo. III. ii. 1  
 If persons neglect to send their allotments, they are to forfeit 3 s. *per* day for each  
 negro or head of cattle deficient 2  
 On extraordinary occasions, justices and vestries may hire a white person at the  
 parish expence, who must take charge of sixty negroes at the least, and not be  
 paid more than 7 s. 6 d. *per* day 3  
 No wain or other carriage, for carrying sugar, rum, or other goods (a cart drawn  
 by a single beast excepted), is to be allowed to pass, unless the wheels are ten  
 inches broad in the felloes. If carriages with narrower wheels be used, church-  
 wardens and waywardens may have them stopped; when they are to be sold,  
 and proceeds applied to repair of the roads 4



**St. Catherine's precinct.**

Inhabitants of the respective parishes (St. Catherine's, St. Dorothy's, St. Thomas in the Vale, and St. John's), are to sue as formerly in the supreme court, for any sum whatever, till they shall have petty courts erected; 33 Car. II. xxiii. 6  
 And if their goods be taken on *venditioni exponas*, proclamation is to be made, at same court as return, that they are to be sold, in the parade at St. Jago de la Vega, twenty days after. 13.

The inhabitants being obliged to sue in the grand court, whereby levies go to priority, which is not the case where there are petty courts, the levies here are in future, when the debt or damages do not exceed 20*l.* to be applied solely to the discharge of the writ on which they are made. 31 Geo. III. xxiv.

**St. David's.**

This name, given to the parish in 1677, confirmed. 33 Car. II. xviii. 12  
 Justices of the *quorum*, for the time being, to be directors of the Bath of St. Thomas the Apostle 11 Gul. III. iii. 2

Churchwardens and vestrymen to be elected on the second Saturday in January.

Vestrymen need not be freeholders. 22 Geo. II. xvi. 2

Magistrates to assist in laying out a carriage-road from Kingston to the Bath

26 Geo. II. vii. 1

The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies. 9 Geo. III. xvii. 1

See BATH of St. Thomas the Apostle--BENEFICED ministers--PORT ROYAL and St. David's.

**St. Dorothy's.**

An extra tax to be laid for the church 33 Car. II. xviii. 3

This name, given to the parish in 1677, confirmed. 12.

Churchwardens and vestrymen to be elected on the third Wednesday in January

22 Geo. II. xvi. 2

Tolls of negroes having been taken by the clerk of the vestry, instead of the clerk of the peace for the precinct, the tolls heretofore so taken declared valid, and admissible as evidence. 1 Geo. III. xx. 3

Clerk of the vestry is to send his toll-book to the clerk of the peace, if required. 4

If any persons raise or efface any such tolls, they are to be punished as those who raise or embezzle records. 5.

A piece of land at Old-Harbour Bay, containing about sixteen acres, having been purchased for the use of the parish, and there being some doubts as to the sufficiency of the conveyance made to the churchwardens, the land is hereby vested in trustees, for the use of the parish, and the trustees empowered to sell it. 8 Geo. III. viii. 1

Receipts given by them are to be effectual for the purchasers. 2

They are to pay purchase-money to churchwardens in ten days after receiving it, under penalty of forfeiting double the sum received. 3

Justices and vestry empowered, during the cantonment of officers and soldiers at

Old-



Old-Harbour, to raise a tax, not exceeding 100 *l.* *per ann.* for repairs of the barracks, supplying water, and providing lodgings for the officers

5

The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies

9 Geo. III. xvii. 1

Justices and vestry empowered to raise a further sum of 100 *l.* for accommodating soldiery

11 Geo. III. xviii. 2

The trustees appointed by 8 Geo. III. *cap.* viii. not having had power given them to apply proceeds of sale therein mentioned to the purchase of other lands and houses, for the use of the parish; and the buildings on the land being in so ruinous a condition, that the purchasing of a more convenient house and land, for reception of soldiers quartered in the parish, would be less burthensome than repairing the old buildings, additional trustees are appointed; 12 Geo. III. xii. 1

Who are to carry that act into force without delay, and to apply the money arising from the sale in the purchase of more convenient land and buildings, at or near Old-Harbour, to be used as barracks, or put to such other use as justices and vestry appoint

2

Such new purchases, when made, vested in the trustees, for the use of the parish, in such manner as may be so appointed

3

There now being a surplussage arising from the parochial taxes, it is to be applied (in aid of sums allowed to be raised, by 8 Geo. III. *cap.* viii. and 11 Geo. III. *cap.* xviii. for repairing the barracks of the parish) to keeping in repair the buildings on the lands hereby directed to be purchased

4

20 *l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay,

30 Geo. III. xiii. 3

Under penalty of 50 *l.* on each defaulter

4

*See* BENEFICED ministers--ST. CATHERINE'S *precinct*--SALT.

### St. Dorothy's and Clarendon.

The highways in these parishes, leading to Old-Harbour Bay, being often rendered impassable, by the working heavy carriages with narrow wheels, no wain or other carriage, for carrying sugar, rum, &c. (a cart drawn by a single beast, or trucks with two wheels for carrying timber, excepted) is to be allowed to pass, unless the wheels be nine inches broad in the fellies. If any such carriage found working with narrower wheels, any person may have it stopped, and a justice of peace may condemn it to be sold; the proceeds whereof are to go to repair of the roads in the parishes respectively. Fellies of six inches may be used, if the fore axle-trees be one foot shorter or one foot longer than the after axle-trees

6 Geo. III. xiii. 1

### St. Elizabeth's.

This name, given to the parish in 1677, confirmed

33 Car. II. xviii. 12

Divided into two parishes, one part retaining the former name, and the other being called Westmorland. Boundaries thereof

2 Ann. i. 1

Adjustment for taxes collected, and debts due

2

Part



Part of Carpenter's Mountains disjoined from this parish.

12 Geo. II. vi. 1

Churchwardens and vestrymen to be elected on the second Tuesday in January

22 Geo. II. xvi. 2

Grant of 1000 acres of land in this parish for Accompong's Town

31 Geo. II. ix. 2

The present churchwardens being, in right of the parish, possessed of a piece of land at Black-River, which is of very little use to the parish, but which, if sold, may raise money to purchase mountain-land, contiguous to the glebe-land, for raising provisions for the negroes belonging to the parsonage, the land is hereby vested in trustees, to be sold. Titles given by them are to be valid to the purchasers, their heirs and assigns

1 Geo. III. v. 1

Receipt of trustees to be a sufficient discharge

2

Trustees are to apply proceeds to the purchase of mountain-land in the parish, for the benefit of the present incumbent and his successors, as provision-ground for the parsonage slaves. Proviso made, that no rights shall be infringed, and that the act shall not take place till confirmed

3

The produce of this parish being sent to market in boats upon the Black-River and other rivers, the navigation whereof is become dangerous, for want of their being cleaned, scoured, and ballasted, four or more persons, qualified to be waywardens, are to be elected annually, by justices and vestry, on the day waywardens are chosen, to act as riverwardens

23 Geo. III. viii. 1

If vestry neglect, justices in sessions are to appoint them

2

No inhabitant of the parish is to be exempt from serving as riverwarden once in three years, unless he be also exempted from serving as waywarden. Persons chosen must, under penalty of 50*l.* in twenty days after written notice given them by clerk of the vestry, swear, before a justice of the parish, that they will faithfully perform the office, and give a just account, if required, of what they officially receive, pay, or do. If the clerk neglect to give notice in five days after election, he forfeits 25*l.*; and if any justice refuse to swear a riverwarden, he forfeits 50*l.*

3

Justices and vestry are annually to lay a tax of money, labour, or other things, as they see necessary, for rendering the navigation safe and easy. If they do not, each riverwarden may assess for his district; which being confirmed by two justices, is to stand good, unless altered at quarter-sessions

4

If a riverwarden neglect to have the rivers or parts allotted him cleaned, &c. for three months after having qualified, he is, on view of two justices, to forfeit 100*l.*

5

Riverwardens may issue warrants to constables to warn in workers, or levy money. Persons who fail to send their allotments are to forfeit, for every slave, tools, &c. deficient, 3*s.* per diem

6

Riverwardens are, under penalty of 10*l.* to report defaulters to a justice of peace, in twenty days after their neglect; and, on oath of themselves or some other white person, give an account of the number of slaves and tools not sent. The justice is then, under penalty of 50*l.* to require another justice to associate with him (which he is to do, under like penalty); and they are to summon parties complained of, inflict fines, and cause them to be levied for, if not paid

7

No



- No appeal is to be made from sentence of justices. If the not sending negroes, cattle, or tools, be owing to overseer, he is to reimburse his employer's expences; 8  
 But the levy is, nevertheless, to be made on the owner's property 10  
 Riverwardens may return slaves they do not approve; and if able ones be not immediately sent, the number is to be reported deficient 9  
 They may cause the slaves to lop trees, remove weirs or other obstructions, and cut down any trees that interrupt the navigation, throwing all such matters on the banks, above high-water mark 11  
 Persons who wilfully fell trees, or cast them, cane-trash, or other rubbish, into any of the rivers, so as to impede the navigation, are to forfeit 100*l.* for each offence 12  
 No evasion is to excuse the not sending allotments 13  
 No slaves, cattle, carriages, &c. employed on the rivers, are to be taken by the marshal, while working, or going or returning. If complaint made to a magistrate of any such levy, he is, under penalty of 50*l.* to direct the marshal to deliver the property to the owner 14  
 Justices and vestry may levy a tax for the purchase of boats, drags, &c. and hire of workmen; and they may enter into contracts for the purposes of this act 15  
 Penalties are to be imposed by two justices of the parish, and levied by their warrant 16  
 A piece of land at Black-River, containing about one third of half an acre, with a tenement and buildings thereon, belonging to the inhabitants of this parish, vested in trustees, to be sold 27  
 Receipts given by the trustees are to be sufficient discharges 28  
 Money arising from the sale is to be applied in discharge of expences heretofore incurred in repairing the said buildings, and in purchasing mountain-land for the benefit of the incumbent for the time being, as provision-ground for the parsonage negroes 29  
 Justices and vestrymen, on the first quarter-day in each year, are to appoint the place where the vestries for that year shall be held; and a majority of the justices are to direct, at their first meeting in each year, the place where the courts of quarter-sessions and common pleas shall be held for that year  
 29 *Geo. III. i. 2*  
 Horse-race to be run in this parish, on a course appointed by justices and vestry  
 30 *Geo. III. xii. 6*  
 50*l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, xiii. 3  
 Under penalty of 50*l.* on each defaulter 4

See BARRACKS--BENEFICED *ministers*--BLACK-RIVER--GRAVESEND.

**St. George's.**

- This name, given to the parish in 1677, confirmed 33 *Car. II. xviii. 12*  
 Part of the unsettled lands of this parish laid into the parish of Portland 10 *Geo. I. viii. 4*  
 Churchwardens and vestrymen to be elected on the second Wednesday in March.  
 Vestrymen need not be freeholders 22 *Geo. II. xvi. 2*



- Trustees appointed for sale of three hundred acres of land, out of six hundred granted for a glebe; 29 Geo. III. iv. 1
- The monies arising wherefrom are to be applied in the purchase of slaves, for the use of the rectors for the time being 2
- Until such sale take place, trustees are to permit rents, &c. to be received by the rector; 3
- And, until such purchase of slaves is made, trustees are, with consent of the rector, to invest the monies arising from sale of lands in securities bearing interest; the proceeds whereof rector is to receive 4
- Purchasers of such lands are hereby secured in the possession of them 5
- Trustees are to be answerable for such monies, only, as they may receive respectively 6
- The remaining three hundred acres of the land are also vested in the same trustees, for the use of the rector 7
- See BARRACKS -- BENEFICED ministers -- NORTH-EAST part of the island -- ST. MARY'S and St. George's.*

### St. Jago de la Vega.

- Supreme court to be held in this town 33 Car. II. xxiii. 1
- Surveyor-general's office to be kept here 35 Car. II. v. 4
- Public buildings to be erected in the parade 17 Geo. II. ix. 1
- No more than one retailer of gunpowder allowed in the town; xvii. 1
- And justices and vestry to settle the price of the powder 5
- Certain lands, amounting in the whole to 1235 acres, formerly patented by trustees for the inhabitants of this town, put under the direction of the justices and vestry of the parish; 20 Geo. II. x. 1--5
- Who may lay a tax on inhabited houses (rented or not rented), trade, and negroes, for repairing the streets, &c. 6
- Justices and vestry of St. Catherine's are to contract, at a certain sum annually, for keeping the roads leading into the town, the streets thereof, and the vacant lots of land, constantly clean; for which purpose the town is to be divided into districts 21 Geo. II. viii. 1
- The contractors are to be called "The townwardens." Money is to be raised by a poll-tax on house negroes (which are to be given-in or assessed for), or by a rate on houses 2
- No persons are to be rated to this poll-tax, but those who employ three or more slaves, or live in a house of upwards of 20 l. value *per ann.* 5
- Places are to be appointed for throwing rubbish, and notice thereof be given; after which, if any filth, broken bottles, shavings, or other rubbish, be laid in any other place, offender is to forfeit 40 s. If done by slaves, penalty is to be paid by their owners, or slaves be publicly punished. Complaint must be made in a week after offence 3
- Justices and vestry are to give notice of meeting to put this act in execution 4
- Townwardens to give bond for performance of duties. Justices and vestry, at their last meeting before expiration of any contract, are to enter into a new one, that the town may perpetually be kept clean. If they neglect this duty, they are to forfeit 100 l. 5



- Justices and vestry to determine disputes with townwardens 6
- Tax to be collected in the same manner, and with the like power of distress, as the parish tax; and the same commission be allowed for receiving it 22 Geo. II. vi. 1
- No penguins to be planted in the town, and those already there to be removed; for which townwardens are to be paid 2
- Time for removal of penguins 3
- Clerk of the market to prove the weights made use of by factors, merchants, and shop-keepers here, and by wharfingers at Passage-Fort, every two months 23 Geo. II. vi. 4
- Declared the county-town of the county of Middlesex 31 Geo. II. iv. 1
- Justices, &c. of St. Thomas in the Vale to repair the roads from that parish to this town 6 Geo. III. xviii. 1
- Many inconveniences having arisen from the number of negro huts and houses in and about this town, on lots of land detached from the habitations of their owners, all proprietors of such lots must, in three months, deliver to the clerk of the vestry an account of the number and situation of such huts or houses, and of the slaves resident in each of them; and, for all which may hereafter be built, such account must be delivered within a month after they become habitable 11 Geo. III. iii. 1
- Every four of the huts or houses is to have but one door of entry; and where there are four or more belonging to the same owner, they are to be inclosed with a fence of brick, stone, boards, or palisadoes, seven feet high at least (which must be kept in good repair, and all other fences destroyed), and each inclosure have but one door of entry 2
- If persons neglect to give in accounts, or to inclose, or if they suffer slaves not in their service to stay there, justices and vestry may cause such huts or houses to be pulled down 3
- A market-house to be built in this town, at the expence of the parish. The market, and the venders of provisions in and near the town, to be under the inspection and direction of justices and vestry xiv. 1--8
- A nightly watch may be kept here, when necessary; of which the justices and vestry are to appoint the manner and number; 9
- As well as lay a tax on transient traders and parishioners for its support 10
- No person is to retail any liquors in this town without having a license; to acquire which, a certificate must be obtained, under the hands of the churchwardens and a majority of the vestry, and of six other inhabitants of the town (being freeholders of St. Catherine's, capable of sitting as vestrymen, and voting for members in assembly), that the person requiring the license is fit to be trusted to sell liquors; and which certificate must be recorded in the office of the clerk of the peace of St. Catherine's before the license is granted 28 Geo. III. v. 1
- Previous to obtaining the license, the applicant must enter into bond (with two freeholders of the parish for his securities) of 100 l. to keep good order and rule in his shop, and not to sell liquors before six in the morning or after six in the evening 2
- If any person having a license retail spirituous liquors, or keep his shop open,



before or after the hours above mentioned, he is to forfeit 10 *l.* for each offence

Licenses are not to be granted for more than one year, and only to persons justices in sessions approve of. For each, 2 *l.* 10 *s.* is to be paid to the clerk of the peace for his trouble, and 10 *l.* to the churchwardens for the use of the poor

If any person, not having a license, granted as above, and in force, sell any liquors by retail, he is to forfeit 20 *l.* and suffer one month's imprisonment; and the evidence of one white person may convict the offender, if white, and of one white person, mulatto, Indian, or negro, if the offender be a mulatto, Indian, or negro. Every licensed person must put his name, in a conspicuous place, over the door of his shop, with the words, "rum sold by license," under penalty of being deemed unlicensed

No license is to be granted to any person who has not been resident in the parish, and paid taxes therein, for one year before requesting the license

No such shops are to be kept, or gunpowder sold, within one hundred yards of the public buildings, under penalty of 20 *l.* and being for ever rendered incapable of having such license; and the evidence of one competent witness is to be sufficient to convict the offender

Persons who sell less than twenty gallons of rum at one time are to be deemed retailers; and no person is to be allowed to keep more than one shop by virtue of one license, under the penalty inflicted, by *cl.* 5, on those who sell without a license. But this act is not to affect tavern-keepers who have grand licenses, nor those persons who sell wines, arrack, brandy, gin, cyder, perry, or malt liquor, in bottles, by the dozen, &c.

Housekeepers assessed at between 20 *l.* and 60 *l.* are to be always provided with two leather buckets, in good repair (with their names thereon), each to contain two gallons and a half, and, on every alarm of fire, to provide one able negro to carry the buckets, and assist in extinguishing it; those assessed at between 60 *l.* and 100 *l.* are to have four like buckets, and to send two negroes; and those assessed at more than 100 *l.* are to have six such buckets, and to send three negroes. Housekeepers are to forfeit 40 *s.* for each bucket not provided, or not kept in repair

Churchwardens of St. Catherine's are to provide, and always keep in good repair, three fire-engines, &c. or forfeit 10 *l.* each for neglect;

And justices and vestry are to appoint a captain to each engine, pay him a salary, and give rewards to negroes or others for extraordinary activity and attention in extinguishing fires

Captain of the first engine which arrives at a fire is to be paid 10 *l.* and of the second 5 *l.* by justices and vestry;

Who may, at their discretion, assess the inhabitants of the town for the above purposes

Justices and vestry must annually appoint five inhabitants, two of whom are to be justices of the peace, to be firewardens; who are to take and subscribe an oath, in form here specified, that they will discharge the office to the best of their abilities

3

4

5

6

7

8

9

10

11

12

13

14

If



If any person appointed a firewarden refuse to execute the office, or neglect to take the oath within ten days after notice given him of being appointed, he is to forfeit 20*l*.

15

The firewardens are to have the sole direction in extinguishing fires; are to command officers and foldiers of the military present at any fire; and each of them is to be furnished by the parish with a white staff, to denote his office

16

Firewardens, and all other persons assisting to extinguish fires, are to be exempt from judicial process during their endeavours, and for twenty-four hours afterwards

17

On notice given of a fire having broke out, the firewardens, as well as constables and beables, are immediately to repair to the place, with their staves and other badges of authority; where they are to assist in extinguishing it, cause negroes and others to work at the engines, prevent goods being stolen, apprehend thieves, and help inhabitants to remove their goods

18

Two of the firewardens are to examine into and superintend the working of the engines, once in every three months; and they are, once in six months, to examine the buckets throughout the town

19

Majority of the firewardens present at any fire may order the pulling down or blowing up of houses likely to stop it; for which the owner, if the fire is thereby stopped, or otherwise got under before it reach the place, is to receive satisfaction by a parochial rate, the house being valued by the justices, churchwardens, and vestry, in vestry assembled. But if the house where the fire begins is blown up, &c. no satisfaction is to be given

20

If any slaves (not having a wain, coach, or other carriage, under their care) be found in the streets, &c. between ten at night and five in the morning, without tickets, any magistrate, constable, or inhabitant, whose house-rent is rated at 40*l*. a year or upwards, may take them to the workhouse, where they must be received, and not enlarged till a hearing be had before a magistrate; who may either release such slaves, or continue their commitment five days

21

The corporation of the workhouse, under penalty of 40*s*. for every neglect or refusal, are to cause the workhouse negroes to cleanse all parts of the town, passages thereto, and vacant lots of land, and remove all filth, &c.; to root up penguin fences, popenacs, &c. and burn them; to clean the savanna; clean and cultivate parish-lands for their own use; to repair the streets, and cover them with gravel; and to cut drains, and keep them clean and in repair

22

If any persons expose to sale, at their doors or in their piazzas, any putrid salt-fish or other provisions; rancid butter, oil, or other offensive commodity, or annoy the inhabitants by keeping them in their houses or offices, they are to forfeit 20*l*. for each offence, being convicted by oath of one credible witness;

23

And any justice of the precinct may, on view, cause such articles to be destroyed

24

If a slave be found galloping, or riding or driving furiously, any horse, mule, &c. or any wheel-carriage drawn by steers, oxen, or horses, through the streets, &c. or carelessly turning a horse, &c. loose, to the danger of the inhabitants, the owner is to forfeit 40*s*. for each offence. Any justice of St. Catherine's

precinct



- precinct is, on oath of one credible witness, to summon such slave's owner to shew cause (in three days after complaint) why they should not pay the fine. The summons is to be left at owner's dwelling-house, one day before the time for shewing cause, if owner in town. If owner do not appear, or if offence be proved by one witness, justice is, if fine not paid, to issue his warrant to levy fine and costs. But if the owner agree, that the slave shall receive thirty-nine lashes in four public streets, or shall labour in the workhouse six days (as the justice pleases), the fine is to be remitted. Complaints must be made in a week after offences, if owners be in town; if not, in a week after they come to town. If free people of colour are guilty of such offences, they may be fined 5 *l.* or committed to hard labour in the workhouse for a week 25
- Actions are limited to six months; general issue may be pleaded, and treble costs recovered 27
- This is declared a public act 28
- Statue of lord Rodney, and additional public offices, to be erected on the north side of the parade 30 *Geo. III. xxi.*
- Leave must be obtained from the governor before privates in the militia can remove from the foot to the horse 32 *Geo. III. x. 11*
- Commissioners appointed for enlarging the barrack in this town; who, after their first meeting, are to assemble where and when they see fit *xxv. 1*
- They are to design the building, agree with the possessors of lands, &c. which may be necessary to be purchased, and erect the additional barrack 2
- If owners refuse to sell, or other impediments occur, a jury is to be summoned; who, on oath, are to value the lands, &c. and their determination is to be final, five days previous notice having been given to parties interested. Valuation is to be paid by commissioners; who may summon witnesses to attend the jury. Verdicts are to be recorded, and admitted as evidence in all courts. After proceedings are returned, houses may be pulled down, and lands made use of 3
- In cases of sale, conveyances are to be to the crown; 4
- And lands are to be deemed vested therein, in those of valuation. Monies for valued properties are to be paid on demand 5
- The sum of 15,000 *l.* granted this session, in the poll-tax law, to commissioners of forts, &c. is to be by them applied to the orders of commissioners of this act 6
- Artificers must give security for performance of contracts 7
- Commissioners may appoint and remove clerks and other officers, and appoint them salaries. No commissioner is to be concerned in any contract under this act, 8
- Which is to be deemed a public one 9
- See BOG-WALK--FREE-SCHOOL of *St. Jago de la Vega*--IRREGULAR grants--PUBLIC buildings--*St. CATHERINE'S*--SPANISH-TOWN road.

#### St. James's.

- This name, given to the parish in 1677, confirmed 33 *Car. II. xviii. 12*
- A road to be run out and made from the Cave, in Westmorland, to the west end of this parish 11 *Geo. I. iii.*
- Churchwardens



Churchwardens and vestrymen to be elected on the second Tuesday in February 22 Geo. II. xvi. 2

Two acts, relative to the place of holding courts, and transacting parochial business, repealed 23 Geo. II. viii.

The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies 9 Geo. III. xvii. 1

Divided into two parishes, the western part retaining the present name, and the eastern being called Trelawny 14 Geo. III. xxxi. 1

Adjustment for taxes collected, and debts due 2

The sum of 5000 *l.* allowed, by 14 Geo. III. *cap.* xiii. to be raised in each parish for purchasing lands for certain purposes, not having been found sufficient in this parish, and a court-house being wanted, justices and vestry empowered to raise a further sum of 6000 *l.* 15 Geo. III. xxv. 1

Land to be bought, and court-house erected, at or near Montego-Bay 2

Justices and vestry may apply such part of the 6000 *l.* as is necessary, to the above purpose; 3

And they are to keep the court-house in repair out of the parish-tax 4

No wain or other carriage, for carrying sugar, rum, &c. (a mule-cart only excepted) is to be allowed to pass upon the highways in this parish (except to the eastward of Montego-Bay to the line of Trelawny, along the sea-shore, and all those estates in that district within four miles of the sea-side), unless the wheels are six inches broad in the felloes, with a reasonable allowance for wear. If any such carriage be found working with narrower wheels, any person may have it stopped, and a justice of peace may condemn it to be sold; the proceeds whereof are to be applied to repair of the roads in the parish 29 Geo. III. xxiii.

Horse-race to be run in this parish, on a course appointed by justices and vestry 30 Geo. III. xii. 6

Justices, churchwardens, and vestrymen, empowered to purchase lands for burial-grounds xiii. 2

50 *l.* added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, 3

Under penalty of 50 *l.* on each defaulter 4

*See BARRACKS--BENEFICED ministers--MONTEGO-BAY--WESTMORLAND.*

#### St. James's and Trelawny.

The maintenance of the poor of these parishes is, for ever hereafter, to be equally provided for by the justices and vestrymen of both parishes, and taxes for that purpose raised in equal proportions 14 Geo. III. xxxi. 6

#### St. John's.

This name, given to the parish in 1677, confirmed 33 Car. II. xviii. 12

Churchwardens and vestrymen to be elected on the third Thursday in January 22 Geo. II. xvi. 2

Inhabitants to repair the road from St. Jago de la Vega to the foot of the red hills, leading to Guanaboa 23 Geo. II. xvi. 1

Justices



Justices and vestry to appoint surveyors, lay rates, &c. 2  
 And, though the road is in St. Catherine's, are to be saved harmless as if it were  
 in their own parish 3  
 Inhabitants relieved from the above burthens 18 Geo. III. xxii. 1  
 Justices and vestry to lay a tax on the inhabitants for raising 450*l.* 2  
 Which is to be paid to the acting churchwarden of St. Catherine's, towards re-  
 pairing the road above mentioned 3  
*See BARRACKS--BENEFICED ministers--CLARENDON--ST. CATHERINE'S precinct--*  
*WILD pigeons.*

#### St. Mary's.

This name, given to the parish in 1677, confirmed 33 Car. II. xviii. 12  
 Parochial officers to be chosen on the third Thursday in March 17 Geo. III. xviii. 2  
 Ungranted barrack-lands, at Bagnall's, vested in justices and vestry of St. Thomas  
 in the Vale, to be sold 23 Geo. III. ix. 1  
 Thomas Manning, late of Westmorland, having, by his last will, made in the  
 year 1710, bequeathed to trustees ninety acres of land in this parish, for the  
 use of the poor thereof, under direction of the vestry; and the trustees being  
 dead, and their heirs not resident herein, whereby the vestry is put to great  
 difficulties in letting the land, for the purposes intended; the ninety acres are  
 hereby vested in the justices and vestrymen for the time being; x. 1  
 Who are, for the purpose of this bequest, made a body corporate, and empow-  
 ered to grant leases of any part of the land, for a term not exceeding seven  
 years 2  
 The justices and vestrymen are, by the name of "The justices and vestry of the  
 parish of St. Mary," to exercise full corporate powers, respecting the bequest; 3  
 And are to apply proceeds to the support of the poor, and surplus (if there be  
 any) to contingencies of the parish 4  
*See BARRACKS--BENEFICED ministers--ST. CATHERINE'S and St. Mary's.*

#### St. Mary's and St. George's.

These parishes conjointly are to raise 50*l.* *per ann.* for the water-bailiff at Annotto-  
 Bay; 25 Geo. III. xvi. 6  
 And the justices and vestrymen thereof are to be commissioners for carrying this  
 act into execution 9

#### St. Thomas in the East.

The name of "St. Thomas," given to this parish in 1677, confirmed  
 33 Car. II. xviii. 12  
 Justices of the *quorum*, for the time being, to be directors of the Bath of St. Tho-  
 mas the Apostle 11 Gul. III. iii. 2  
 Part of the lands of this parish laid into the parish of Portland 10 Geo. I. viii. 4  
 Churchwardens and vestrymen to be elected on the third Monday in January 22 Geo. II. xvi. 2  
 Magistrates to assist in laying out a carriage-road from Kingston to Bath 26 Geo. II. vii. 1  
 The



The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies 9 Geo. III. xvii. 1  
50 l. added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay, 30 Geo. III. xiii. 3  
Under penalty of 50 l. on each defaulter 4  
See BARRACKS--BATH of St. Thomas the Apostle--BENEFICED ministers--NORTH-EAST part of the island.

St. Thomas in the Wale.

An extra tax to be laid for the church 33 Car. II. xviii. 3  
This name, given to the parish in 1677, confirmed 12  
Churchwardens and vestrymen to be elected on the first Tuesday in February 22 Geo. II. xvi. 2  
Inhabitants to repair the road from St. Jago de la Vega to the Angels 23 Geo. II. xvi. 4  
Justices and vestry to appoint surveyors, lay rates, &c. 5  
And, though the road is in St. Catherine's, are to be saved harmless as if it were in their own parish 6  
Tolls of negroes having been taken by clerk of the vestry, instead of the clerk of the peace for the precinct, the tolls heretofore so taken declared valid, and admissible as evidence 1 Geo. III. xx. 3  
Clerk of the vestry is to send his toll-book to the clerk of the peace, if required 4  
If any persons raise or efface any such tolls they are to be punished as those who raise or embezzle records 5  
Justices and vestry enabled to make allotments of cattle, carts, and negroes, or issue orders to churchwardens for purchasing, at the parish charge, working cattle, carts, crows, and other necessities for making and repairing the several highways in the parish, as well as that leading from it to the town of St. Jago de la Vega; all which cattle, carts, &c. are to be under the direction of the waywardens; and churchwardens, if necessary, are to purchase fodder, at the expence of the parish 6 Geo. III. xviii. 1  
If persons neglect to send their allotments, they are to forfeit 3 s. per day for each negro or head of cattle deficient 2  
On extraordinary occasions, justices and vestry may hire a white person at the parish expence, who must take charge of sixty negroes at the least, and not be paid more than 7 s. 6 d. per day 3  
No wain or other carriage, for carrying sugar, rum, or other goods (a cart drawn by a single beast excepted), is to be allowed to pass on these roads, unless the wheels are ten inches broad in the fellies. If carriages with narrower wheels be used, churchwardens and waywardens may have them stopped; when they are to be sold, and proceeds applied to repair of the roads 4  
This parish being obliged, by 1 Geo. III. cap. xix. cl. 3, to keep in order the barrack at Bagnall's, in St. Mary's, which is useless and burthenfome to it; and there being 61 acres (out of the 2000) of the barrack-land remaining ungranted; that land is hereby vested in justices and vestry of this parish, who



are appointed trustees for the sale of it, and enabled to convey it in fee-simple

23 Geo. III. ix. 1

The trustees are, with the money arising from the sale, to purchase lands in this parish, and erect a barrack thereon; which they are to keep in repair as they were obliged to do that in St. Mary's

Such lands and buildings, when purchased and erected, vested in the justices and vestry for the time being

If proceeds be not sufficient for the above purposes, justices and vestry may raise more by a tax

30 l. added to the rector's stipend; which justices, churchwardens, and vestrymen, are to raise and pay,

30 Geo. III. xiii. 3

Under penalty of 50 l. on each defaulter

See BARRACKS--BENEFICED ministers--ST. ANN's and St. Thomas in the Vale--ST. CATHERINE'S precinct--SALT.

#### Salary.

Of the clerk of the crown, for attending assize-courts, and recording proceedings

31 Geo. II. iv. 22

Of the clerk of the supreme court, for his attendance and duty there

23

Of the deputies of the receiver-general, naval officer, secretary of the island, and collector of the customs, at the ports of entry and clearance

xix. 5

An additional salary of 2500 l. per ann. beside the salary appointed by the king's instructions, to be paid to George Haldane, esquire, during his administration, by the receiver-general; who, if necessary, may borrow money for the purpose, on legal interest

32 Geo. II. i. 1

The same provision made for Adam Williamson, esquire, the present lieutenant-governor, as was made by the above act for governor Haldane

32 Geo. III. i.

Salary of the agent for the island

iii. 5

#### Sale of slaves under venditioni exponas.

The notice directed (by 8 Geo. II. cap. v. cl. 15) to be given of the sale of slaves (as well as other properties) taken upon such writs, being found too short, as slaves so taken have been sold, for debts of persons to whom they did not belong, before a replevin could be brought, the marshal taking them must, if an affidavit be made (either by the owners, their attornies, executors, administrators, or guardians, or by any mortgagees or their representatives) before a judge of the supreme court, or a commissioner for taking affidavits, that such slaves are not the property of the persons on whose account they are taken (which affidavit must be duly served on marshal), defer the sale for twenty days, that time may be given for a replevin to be brought. In such cases, the affidavits made by the owners must be positive; but those by representatives may be to the best of their belief

9 Geo. III. xiii. 1

If replevins be not issued within the twenty days, the sale may be proceeded in

2

Such sales to be forbidden by any judge of grand court, on complaint that those of minors have been wrongfully levied on;

17 Geo. III. vii. 2

Q



Or by custodes, or judges of common pleas, if no judge of grand court be found within twelve miles. And marshal must postpone them thirty days, on being notified that application has been made, or will be made within ten days

3

When slaves are levied on and sold, on account of persons who have only a temporary right in them, marshal must give public notice thereof to persons attending as purchasers. Before delivery, purchasers are to give 200*l.* bond, that no such slave shall be transported or concealed; which bond is to lie in the secretary's office, for the benefit of persons who may have any right in remainder or reversion

4

If any purchaser afterwards ship or conceal a slave bought on such terms, or connive thereat, he or she is to be deemed guilty of a misdemeanor, and may be fined and imprisoned as judges think proper;

5

Besides which, their bond is to remain in full force, for recovery of damages suffered by persons having such right

6

Marshal must give public notice (fairly written, and fixed up in two of the most public places in the parish) at least fifteen days before these sales, setting forth the day of sale, and upon what writs, and against whom, the slaves have been levied on

7

Slaves so purchased, if possessed seven years, are to be held in fee-simple, against all claimants, with exception for absentees and incapable persons, who, as well as claimants in reversion, &c. may bring actions in limited times 23 *Geo. III. xiii. 1*

No hire is to be paid for slaves so purchased, if held peaceably twelve months

8

See MINORS.

#### Sales.

See ALIENS--DEEDS--MARSHALS--SALE of slaves under venditioni exponas--SLAVES--WRITS of venditioni exponas.

Sales by lottery. See LOTTERIES.

Sales of new negroes. See NEW negroes.

#### Salt.

The parishioners of St. Catherine's, St. Thomas in the Vale, and St. Dorothy's, having for several years past been furnished with salt by sir Thomas Modyford, in consideration of having surrendered their right to the salt-ponds to him; and they desiring the continuance of that custom, and to ascertain it from sir Charles Modyford, the present possessor, who has declared his willingness thereto; the said sir Charles, and his assigns, are hereby obliged to supply the said parishioners, for ever yearly, with salt, at 12*d.* per bushel, to the quantity of half a bushel per head, so as the whole do not exceed 5000 bushels. Claims must be made, and money paid or tendered, between the 5th and 16th of January, and salt fetched between the 1st day of May and the last day of August, in every year, or right for that year be forfeited 35 *Car. II. xv. 1*

If the quantity be not duly delivered, 2*s.* is to be paid to demandant for every

F f 2

bushel



bushel deficient; and if deficiency be owing to any having been sold, 5 s. per bushel must be paid him

**Salt-River.** See *IRREGULAR grants--SPANISH-TOWN road.*

### Satisfaction.

Every mortgagee of any lands, tenements, real or personal estate, having received payment, must, at the request of the mortgager, enter satisfaction upon the margin of the record of the mortgage, which is to release the same, and bar all actions brought thereon. If mortgagee do not, within three months after request, and tender of reasonable charges, enter such satisfaction, he is to forfeit 50 l. to the aggrieved party 33 Car. II. xii. 4

Persons having neglected to enter satisfaction, according to law, on judgments obtained, though they have been fully satisfied, it is ordained (in order to prevent vexatious suits on such occasions, and that all persons may be compelled, when judgment debts are discharged, to enter up the judgments, and acknowledge satisfaction), that the several plaintiffs in such judgments, or their executors, administrators, assignees, or attornies, on having received payments really due on judgment, shall enter satisfaction on the record thereof. If any plaintiff, his executor, administrator, assignee, attorney, or other person lawfully authorized, who has received payment, shall not, within three months after required, and tender of charges made, enter satisfaction on the record, they are to be subject to the penalty of 100 l. which may be recovered in grand court, and is to go to the defendant or his representative 11 Geo. III. xx. 1

Where plaintiffs have died without entering satisfaction on judgments paid, supreme court may, on proof being given, by defendants, their heirs, executors, or administrators, that judgments have been discharged, order the clerk to enter satisfaction; and where it appears that part of a judgment has been so paid, the court may, on proof thereof, and balance being paid to executor, &c. also order satisfaction to be entered 8

On entering satisfactions on the records of judgments, clerks of the courts are to be paid 2 s. 6 d. and if they or their deputies demand more, the offender is to forfeit, to the person it is demanded from, 100 l. 3

The laws not having been efficient in procuring satisfactions to be entered, chiefly owing to defendants, or their representatives, neglecting to pay the fee, the clerk of the supreme court is hereafter to tax, as part of the common costs, 2 s. 6 d. for such entry; which he is to make, when judgments are satisfied, under penalty of 100 l. And every plaintiff, assignee, attorney, executor, or administrator, who does not, within six months after payment, give authority to the said clerk to make such entry, is also to forfeit 100 l. Both the penalties are to go to the injured defendant 14 Geo. III. xxviii. 14

There being, every court, many writs returned satisfied in the provost-marshal's office; he must, in ten days after every grand court, under penalty of 500 l. for each neglect, return to the clerk of supreme court perfect lists, attested under his hand, of all writs so from court to court returned; who is to record them



them in a book kept for that purpose, and, by virtue thereof, enter satisfaction in proper form

15

Clerk of supreme court must, from time to time, under like penalty, return a certificate to the provost-marshal, of every satisfaction entered in his office; of which the provost-marshal, under penalty of 100 l. for each failure, is to make entry

16

To be entered by provost-marshal, within three months, on such executions now on his books, as, by any means, appear to him to have been discharged

21 Geo. III. xxiii. 1

Persons lodging any original writ of execution are in future to pay provost-marshal 2 s. 6 d. which is to be in full for entering satisfaction, when the execution shall appear to have been discharged;

2

Which fee is to be taxed as part of plaintiff's costs

3

Where persons have lodged writs of execution or *venditioni* in the provost-marshal's office, and afterwards received payment, or part payment, of the debt or damages, such persons, their attornies, &c. are, in two months after such payment, to certify it to the provost-marshal, to be entered in his books

32 Geo. III. xvii. 7

See PROCESS.

### Savanna-la-Mar.

A beam, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

Declared the county-town of the county of Cornwall

31 Geo. II. iv. 1

No cooper, or other person making cask, is to suffer fire to be made, in any part of the town, but in a brick or stone square, eight feet high, with a door to the westward, under penalty of 10 l. for every week's delay, and for every time a fire is made out of such square

9 Geo. III. iv. 5

There being great numbers of houses, out-houses, negro huts and hovels, in the town, covered with thatch, cane-trash, &c. the justices are required to grant warrants to the constables or tythingmen, for pulling down all such places; and they are commanded immediately to put them in execution

6

If persons cover buildings with thatch, &c. they are to forfeit 10 l. for each offence;

7

And if any justice, constable, or tythingman, neglect their duty herein, they are to forfeit 20 l. for each offence

8

The town having been, by a great fire and a subsequent inundation of the sea, rendered an entire ruinate; and it being thought the savanna, near where the town lately stood, is the most safe and convenient place to erect a new town upon, trustees appointed for that purpose; who are to cause surveys and a plat of the lands to be made, particularizing properties, and to agree for the purchase of them. In case of disputes or disabilities, a jury is to make valuation, which is to be conclusive

21 Geo. III. xi. 1

As soon as amount of purchase-money ascertained, trustees are to make payment, or give security; and the lands, &c. are to be thenceforth vested in them

2

Lines and boundaries of the new town

3

Trustees



- Trustees to design and lay out the streets, squares, &c. to cause a court-house to be built, and prevent the making dangerous huts or fences. If such made, trustees may complain to two justices of the peace, who are to order constables to remove them; and if houses become decayed, they are, on complaint made in the same manner, to be pulled down. Persons thinking themselves injured by the above proceedings may proceed by *certiorari*; but if cause given against them, or if they suffer discontinuance, they must pay double costs 4
- If any justice refuse or neglect his duty herein, he forfeits 20 *l.* for each offence; if constables do so, they forfeit 5 *l.* 5
- In order to prevent fire in the town, trustees may purchase two or more fire-engines and a sufficient number of buckets, with other materials; may sink one or more wells, and erect a pump to each; and keep the whole in good repair 6
- If disputes arise with owners of lands which shall be fixed on for sinking wells, or keeping fire-engines, a jury is to value them. Amount of valuation is to be then paid or tendered to the owner; which being proved and recorded, owner loses all claim 7
- Trustees are to appoint a clerk and other officers; pay them salaries, and dismiss them, if necessary 8
- They are also to establish a market within the limits of the town, make regulations for its good government, and fix market-days 9
- Trustees are to cause so much of the land as they think fit, to be run out, and divided in an uniform manner, for town-lots; 10
- Which, under conditions, they may lease for any term not exceeding ninety-nine years, or convey in fee-simple, at their discretion 11
- The lots are not to exceed an acre each, and no person is to have more than one of them 12
- Trustees may, by the most expedient means, convey fresh water to the town; for which purpose, they may purchase lands through which it is necessary to convey it, or, if necessary, have them valued by a jury 13
- They may also make an aqueduct thither from the sea, for landing and exporting goods 14
- Trustees to meet within three months, to receive proposals for making the fresh-water aqueduct, and what other purposes they think necessary 15
- Property of the fresh water, aqueducts, &c. vested in trustees, who may proceed against persons doing damage thereto. Such offenders are to be punished, at discretion of the court, by fine not exceeding 500 *l.* or imprisonment not exceeding twelve months, or by both fine and imprisonment 16
- Treasurer may receive voluntary subscriptions, and apply them as directed by trustees 17
- Monies arising from leases and grants are to be applied to the before-mentioned purchases and works; 18
- And those from ground-rents to keeping the aqueducts in repair 19
- No person is to inoculate for the small-pox, measles, or other contagious distemper, in the town, or within a mile of its limits, without a license from the trustees, under penalty of 500 *l.* 20



- Time of first meeting of trustees; after which, they are to adjourn as they see occasion. Three are to be a *quorum* to adjourn, and seven to do business 21
- Churchwardens for the time being are to be treasurers; are to issue monies under direction of the trustees, and be accountable to them 23
- Actions are limited to twelve months; general issue may be pleaded, and treble costs recovered 24
- This is to be deemed a public act 25
- Justices and vestry of Westmorland empowered to raise 2000 *l.* by a parochial tax, for building the court-house 26
- The above-mentioned sum having been found inadequate to the purpose of building the court-house, justices and vestry empowered to raise 2000 *l.* more 23 Geo. III. xvi. 1
- Court-house to be kept in repair out of the parish-tax 2
- See BARRACKS--COURTS of assize--GAOLS--PORTS of entry and clearance.

**Stab.** See ASSES--HORSES--MULES.

**Scantling.** See BOARDS, plank, scantling, and ranging timber.

**Schemes for lotteries.** See LOTTERIES.

**Schooners.** See DROGGERS.

**Scire facias.**

See FORFEITED lands--GENERAL issue--PERSONS leaving the island--PROCESS--SURVEYORS.

**Sea-coasts.**

- Encouragement for persons settling on them 11 Geo. I. viii.
- Justices and vestries of parishes so situate, on notice from the governor, are to levy a tax, in money or otherwise, for erecting fortifications, &c. and must proceed according to the governor's directions. Tax to be in proportion to number of slaves and cattle; and tradesmens labour to be valued and allowed for 1 Geo. II. xiii. 1
- Materials and timber (cedar and mahogany excepted) may be taken out of any persons ground, making satisfaction 2
- Justices and vestries required to raise white men and negroes, properly armed, &c. to reside in the fortifications, in case of a war 3
- Manner in which such persons are to be armed, trained, lodged, cloathed, and furnished with provisions 4
- Two Indians, mulattoes, or negroes, may be substituted for one white man, and serve as a deficiency; and all white men, so serving, are to save deficiency in the plantations they belong to 5
- If this duty be neglected, justices are to forfeit 100 *l.* vestrymen, 80 *l.* and private men, 50 *l.* 6

See LOSSES.

**Seamen.**



**Seamen.**

Persons entertaining those belonging to vessels in any harbour, after the ship's bell ringing to set watch, shall forfeit 40s. for entertainment of each seaman

33 Car. II. xvii. 7

Are liable to be sent to public workhouses, unless they have a license to travel to a particular place, and are on the road thereto

32 Geo. III. xi. 1

See MASTERS of vessels--PUBLIC hospital.

**Secretary.**

The office of enrolments to be always kept at St. Jago de la Vega 33 Car. II. xii. 1

His fees for enrolling and copying deeds, plats, making searches, and acknowledging satisfaction on mortgages 6

To give security for the faithful execution of his office, and for keeping it at St.

Jago de la Vega; and if he officiate before giving such security, he forfeits 500 l. 9

Ministers testimonials are to be recorded in his office

xviii. 9

Original acts of assembly to be lodged in his office; and he must, at all office-hours, shew all or any of them when required, and give copies thereof, or of any clause, being paid as herein settled: xxiv. 1

He must give bond, with sufficient security, in the penalty of 4000 l. to preserve all the acts made since the 17th of March, 1680; and he is to forfeit 500 l. for every time he officiates before entering into such bond 2

It is not necessary for him to enter into any other bond. 3

Masters of vessels to give security in his office

35 Car. II. i. 1, 2

He is not to give any persons tickets to leave the island, till their names have been up in his office twenty-one days, and they have produced sufficient vouchers, or he has taken good security for them, under penalty of paying their debts, or of making good damages incurred by masters or mistresses of servants procuring tickets. Remedy may be had of his securities 3

He, or his deputy, is to keep his office both at Port-Royal and St. Jago de la Vega, and give attendance at both places, from eight to eleven in the forenoon, and from two to five in the afternoon, except Sundays and holidays, under penalty of 20 l. 5

Surveyor-general's bond to be lodged in his office.

v. 1

To record copies of plats at the bottom of records of grants of lands

vi. 6

Surveyors bonds to be lodged in his office, and recorded

9

To keep his office at Kingston, under penalty of 50 l. for every month's neglect

5 Gul. & Mar. iii. 3

To continue his office at Port-Royal, under same penalty

iv. 7

Surrender of lands to be recorded in his office

8 Gul. III. i. 3; 2 Ann. vii. 10

Establishment of his fees, in 1711

10 Ann. iv. 1

He is to give receipts for deeds left in his office (being paid  $7\frac{1}{2}$  d.), and for monies paid for recording; and he is to mark on them the time they were so left, and have them recorded in fifty days, under penalty of 50 l. 2

To record acts of assembly, in a book kept for that purpose only, under penalty of 100 l. His fees for such entries, and for copies

3

Table



Table of the fees allowed him by this act is to be always open in his office, under penalty of 100 *l.* and if he take greater fees he forfeits the same, and becomes incapacitated

34

No Jew, mulatto, Indian, or negro, to officiate or be employed in his office, under penalty of 100 *l.*

35

Executors are to give security in, and return appraisements to, his office

xviii. 1

To transmit to receiver-general dockets of all deeds or patents of lands brought into his office (which must be recorded in twenty days), specifying all particulars, under penalty of 20 *l.*

8 Geo. I. iv. 1

To record all old wills remaining in his office

4 Geo. II. v. 9

To provide a book for each parish, for recording the quit-rent receipts, and enter them, under penalty of 10 *l.* for every neglect, being paid 1 *s.* 3 *d.* for each such entry

6 Geo. II. vii. 7

To send to each branch of the legislature an account of all recorded receipts, when required, under penalty of 10 *l.*

8

To administer oath to masters of vessels respecting hire of slaves

9 Geo. II. ix. 5

He is to keep the several deeds, records, and alphabets, in his office, in good repair, at his own charge; and make fair copies of such as are impaired by use, or decayed by time, under penalty of 1000 *l.* Every future secretary, under penalty of 5000 *l.* is to give bond, before he enters on office, that he will, at his own charge, keep them in good order, and have copies made of those which require it;

11 Geo. II. ix. 2

And he is to examine all deeds and records so transcribed, and attest them before the chief justice, under penalty of 500 *l.*

3

He is also to cause an inventory to be made of all books of record in his office; and future secretaries, on leaving the office, are to deliver inventories to new secretaries, and both are to sign them; copies of which, also signed, are to be sent to the office of the clerk of the supreme court. If any secretary neglect or refuse to take or sign such inventories, or to cause copies to be made, and sign them, he forfeits 1000 *l.*

4

Accounts of the profits of real estates, managed by attornies, &c. are to be delivered in at his office yearly;

13 Geo. II. ix. 1

Which he is to enrol, with the memorandums, and be paid as for recording deeds, &c.

4

Licenses for retailing gunpowder must be recorded in his office, and security given there

17 Geo. II. xvii. 1

Powers of attornies must be recorded in his office, before they can mark writs of execution and *venditioni*

24 Geo. II. xvi. 1

Articles between attornies and their clerks must be filed and recorded in his office;

4 Geo. III. viii. 2, 3

And those of partnership between attornies at law, solicitors, &c. must also be recorded there

4

Copies of inventories of record-books and alphabets in the office of the register in chancery and clerk of the patents are to be lodged in this office, on every surrender of that officer

9 Geo. I. l. xvii. 4



No person is in future to execute this office till he, and two securities, have entered into recognizance before the chief justice, in the sums mentioned in *cl. 4*, for the faithful discharge of his duty (which recognizance must be signed by him and his securities in presence of the chief justice, and recorded in the office of the clerk of the crown), under penalty of 1000 *l.* and being rendered incapable of holding the office 15 *Geo. III. vii. 2*

Those hereafter entering on the office are to give four days previous notice, to the clerk of the crown and attorney-general, of their intention to enter into recognizance, together with the names and additions of their proposed securities 3

He is to be bound in 5000 *l.* and his securities in 2500 *l.* each 4

When any election of representatives is controverted, the original poll is to be sent to his office, and be recorded, for public inspection 21 *Geo. III. xv. 13*

He is to destroy all deeds and other papers (except wills) which remain in his office twenty years after they have been recorded xxiii. 5

When receipts given by him, for deeds or other papers left to be recorded, are lost, he is to deliver the deeds, &c. after they have remained in his office two years, to the persons entitled thereto, they giving receipts for them in a book kept for the purpose, and paying 1 *s.* 3 *d.* 6

*See PORTS of entry and clearance--RECORDS.*

#### Securities for money.

No bond or note given in payment is to be valid to the person receiving it, for more than is really due thereon at the time they receive it 14 *Geo. III. xxviii. 2*

If any payments appear, on the back of a bond proved, to have been made, the jury are to set them forth in their verdict, with their dates, and the sums are to be allowed 12

All notes and orders hereafter granted, carrying interest, which shall be sued, are to bear interest after judgment, at the same rate they bore before it, till principal is fully paid 13

If any person steal, alter, or designedly destroy, a bond, note, or bill of exchange, or alter or erase an indorsement on any such security, with an intent to defraud, he is to suffer death as a felon, without benefit of clergy; but his heirs are not to be prejudiced thereby 18

*See ALIENS--ASSIGNMENTS of bonds, and of judgments--INTEREST--LIMITATION.*

#### Security.

To be given, before entry on office, by the secretary of the island, provost-marshal-general, clerk of supreme court, and register in chancery and clerk of the patents 15 *Geo. III. vii.*

*See MASTERS of vessels--PERSONS leaving the island--WRITS of error.*

#### Security of the island. SEA-COASTS.

#### Seizing officers.

Naval officer, receiver-general, collector of the customs, or any person employed in



in collecting the revenue, may seize goods attempted to be smuggled; and all persons are to assist them 1 Geo. II. i. 9  
 All officers of vessels of war, as well as the officers above mentioned, empowered to seize foreign produce 29 Geo. II. iv. 2

*See* PORTS of entry and clearance.

**Self-combustion.** *See* STOLEN goods.

**Sending off slaves.** *See* SLAVES.

**Sequestrators.** *See* BREACHES of trust, &c.

**Sermons.**

To be preached on the seventh of June, adapted to the day; 5 Gul. & Mar. i. 2  
 And on the twenty-eighth of August 9 Geo. I. i. 2

**Serpents.** *See* FIREWORKS.

**Servants.** *See* GAMING--INDENTED servants.

**Settlement.**

Three months residence to establish a settlement for poor or impotent persons 35 Car. II. xi. 2

**Settlement of the island.**

*See* ALIENS--NEW-COMERS--NORTH-EAST part of the island.

**Seventh of June.**

No work to be done on that day, nor any shops, taverns, &c. kept open, under penalty of 40 s. for each offence 5 Gul. & Mar. i. 3

*See* FASTS.

**Shallops.** *See* DROGGERS--VESSELS.

**Sheep.**

Persons who drive away, or otherwise steal, any sheep or lamb, with intent to steal the whole carcass, or any part of it, or who assist others to commit such offence, are to be adjudged guilty of felony, and suffer such punishment as the court thinks proper 31 Geo. III. xix. 2

*See* SLAVES--TAME stock.

**Shingles.**

Their dimensions, as settled in 1722 9 Geo. I. vi. 2  
 Must not be of less dimensions than twenty inches in length and five inches in breadth 13 Geo. III. xii. 7



If persons import or sell any of less dimensions, they forfeit at the rate of 10s.  
per thousand

8

**Ships.** See MEN of war--VESSELS.

**Shoal-water.**

Owners of land adjoining any harbour, bay, or creek, may take up the shoal-water, to make wharves or bridges before their own land; and patents granted to such persons shall be good

35 Car. II. xii. 4

See IRREGULAR grants.

**Shops.**

Not to be kept open on the 7th of June, under penalty of 40s.  
Nor on the 28th of August, under same penalty

5 Gul. &amp; Mar. i. 3

9 Geo. I. i. 3

**Shovel-board-tables.** See GAMING.

**Shrimp-nets.**

Not to be above two fathom and an half long; and two or more must not be joined together

10 Ann. xvi. 4

**Silver.** See ASSAY--PLATE.

**Silver coins.** See CURRENT coin.

**Skittles.**

Excepted from the games prohibited by this act

17 Geo. II. vii. 4

**Slave-court.** See COURTS of quarter-sessions--SLAVES.

**Slaves.**

They are not to be taken in execution, where goods can be got 33 Car. II. xxiii. 10  
If, in want of goods, they must be levied on, they are to be left with the owner,  
till a writ of *venditioni exponas* issue;

13

And not then be taken, if cattle in a pen be shewn to the marshal, to be sold  
upon such writ

14

They are not to be free by becoming Christians. So many as are necessary may  
be sold to pay debts and legacies, when no other effects can be got, and the  
remainder are to go as inheritance. Children of slaves, born in possession of  
tenants for life or years, are to remain or revert as their parents do or should  
have done

8 Gul. III. ii. 40

Slaves assigned for dower are to be liable to payment of debts, but not of legacies

41

Husband's sale or gift, during his life-time, of his slaves, is to bar the widow

42

Legal purchases of slaves, heretofore made, confirmed, though no written title given

43

Tolling of them, when sold, is to confer a good title

44

Titles to them are not to be adjudged in inferior courts

10 Ann. iv. 11

Only



- Only one is to be employed in each drogger; 11 Ann. iii. 2
- And only three, to each white man, on any wharf, barquadier, or landing-place 3
- Individuals are to be reimbursed three parts of losses they sustain, through means of rebellious negroes, by a tax on slaves 11 Geo. I. viii. 1
- When taken on writs of *venditioni exponas*, they are to be sold singly, unless in cases of families, when man, wife, and their children, may be sold together 8 Geo. II. v. 9
- Not to sell or give away any sugar or sugar-canes, without a ticket from the owner, on pain of whipping, not exceeding thirty-one lashes vi. 8
- No produce, unless provisions or small stock, to be bought from them 4
- Not to be employed on board vessels, without certificates, unless they belong to the commanders 9 Geo. II. ix. 4
- Any owner, employer, or other person whatsoever, hiring slaves to themselves, and permitting them to work where or how they think fit, are, as well as the hirers of such slaves, to forfeit 10*l.* 26 Geo. II. vi.; 29 Geo. III. iii. 33
- Cannot be enfranchised, by deed, will, or otherwise, till the owners have given security to churchwardens, that each manumitted slave shall be allowed an annuity of 5*l.* during life 15 Geo. III. xviii.
- Executors and administrators may maintain suits in any court, in their own names, concerning slaves, the property of, or possessed by, their testators or intestates at the time of their decease, and afterwards unlawfully taken into the possession of other persons; and may recover them by judgment, as the defunct, if living, might have done 16 Geo. III. xv. 3
- If any tenant by the courtesy of England, tenant in dower whilst a widow, or any second or other husband of such tenant in dower, or any tenant for life or years, or any mortgager or person claiming under him, send off from this island (except by order of law), or otherwise dispose of, any negro or other slave, without the consent of the mortgagee, or of persons entitled to reversion or remainder, &c. they are to forfeit 100*l.* to the mortgagee, or other person to whom such slave should come after the determination of such particular estate 29 Geo. III. iii. 31
- If any owner or employer of slaves, or any other person, let any houses, cottages, huts, or lodgings, to any slaves, or permit them to build any dwelling-houses, cottages, or huts, in any towns, savannas, waste grounds, &c. in order to hire themselves out to work, or to carry on any trade, shop, or employment, or knowingly suffer them to hire themselves out to work, without a license, signified in writing under their hands, for such particular work as the slaves shall hire themselves for, and testified by a justice of peace of the parish where the owners, &c. inhabit, or agree with them for a certain sum of money, or other consideration, by the day, week, month, or year, to let them go abroad where they think fit, each such owner, &c. is to forfeit 10*l.* 33
- On complaint made to a justice of peace of the building any such dwelling-houses, cottages, or huts, in any town, savanna, &c. he is to issue his warrant, to all or any of the constables of the parish, directing such houses, cottages, and huts, to be pulled down and destroyed. If any justice neglect or refuse so to do, he forfeits 50*l.* 34



Slaves may be taken and sold for quit-rents, if no other distress can be had xii. 8

Those detected in laying nuisances on any highway, or within 100 yards thereof, are to be apprehended, and detained in the workhouse till the penalty of 5 l.

is paid, with costs and fees

xiv. 2

Slaves may be evidence against maroons

32 Geo. III. iv. 6

Must have certificates when they take strays to a pound

v. 8

Possessors of plantations and all other lands must allot land for each slave thereon, and allow them sufficient time to cultivate it, in order to provide themselves with provisions; besides which, they must have an acre planted in ground-provisions, and kept in good condition, for every ten negroes, under penalty of 50 l.

xxiii. 2

Negro-grounds must be inspected once every month, by the possessor, overseer, or chief manager. Where there are not proper lands for the above purposes, each slave is to have provision equal to 2 s. 6 d. per week, under penalty of 50 l.

3

Possessors of slaves (whether as owner, attorney, guardian, trustee, executor, &c.) are not to turn them away on account of age or infirmity, but keep them on their properties, provide for them, and not suffer them to wander about, under penalty of 10 l. Wandering infirm slaves may be taken up, and sent to the workhouse to be supported, but not worked, till possessor be summoned, and matter enquired into before a justice of peace. If possessor be found guilty, and refuse to pay the above penalty, as well as workhouse fees, &c. the justice must, under penalty of 20 l. forthwith commit such offender to the common gaol, to remain till the fine and charges are paid

4

Owners, &c. must, once a-year, under penalty of 50 l. provide each of their slaves with such sufficient cloathing as shall be approved of by justices and vestry of the parish;

5

And they, or their overseers, are to endeavour to instruct them in the Christian religion

6

All masters, &c. their overseer or chief manager, at their giving-in, on the 28th of December, must, under penalty of 50 l. for each neglect, give-in, on oath, an account of the quantity of land in ground-provisions, besides the negro-grounds, or, where there are not lands proper for such purpose, of the provision made, or means adopted, for maintenance of the slaves, and also of the nature and quantity of the cloathing actually served to each slave; and must likewise, at the same time, swear that he has inspected the negro-grounds (where such grounds are allotted), as directed in cl. 3

7

Slaves taking up runaways, or discovering their being harboured, are to be rewarded at discretion of a magistrate, not exceeding 20 s.

8

If they kill rebels, they are to have 3 l. each; and if they take any alive, 5 l. and a blue cloth coat, with a red cross on the right shoulder, for each, from the churchwardens of the parish

9

Persons mutilating slaves, or consenting thereto, may, on conviction in grand or assize-courts, be fined 100 l. and imprisoned twelve months, beside being liable to an action of damages. Court may, in atrocious cases, manumit any mutilated slave, and order the penalty to be paid to vestry; who are to allow the

slave



slave 10*l.* *per ann.* for life. Slaves complaining to a magistrate of being mutilated, may be sent to the workhouse, to be supported and attended till meeting of vestry; who are hereby created a council of protection, and are to enquire into such mutilations, and prosecute the offenders; who may also be sued for costs. Workhouse-keepers are to produce mutilated slaves at first vestry, under penalty of 20*l.*

Any justice being informed that slaves are mutilated, or confined without support, is to issue a warrant to have them released and brought before him; when, on view of the fact, he may send them to the workhouse for protection

Persons wilfully killing any slave are to suffer death

Persons cruelly beating slaves, or confining them without support, are to be fined, imprisoned, or both, at discretion of grand or assize courts, or courts of quarter-sessions; and also be liable to actions of damages

No slave is to have more than ten lashes at a time for one offence, unless the owner of the property, or supervisor of the workhouse, be present; nor more than thirty-nine, on any account, in one day, nor until the delinquent has recovered, under penalty of 10*l.* on the person directing such punishment

No iron collars are to be put on slaves, nor more weights or chains than will secure them, under penalty of 50*l.* for each offence. Justices, on information or view, are, under penalty of 100*l.* to have such collars, &c. taken off

Justices and vestries are to lay taxes for support of disabled unowned slaves; who are to be passed to the workhouses of the parishes where their former owners resided; as are those free poor who have been manumitted. Vestries are to make regulations for their accommodation

No slave (unless going with fire-wood, grass, fruit, provisions, or small stock, and other goods which they may lawfully sell, to market, and returning therefrom) is to go out of the owner's settlement, or travel from one town or place to another, without a ticket, expressing when such slave set out, where going, and the time limited for return, under penalty of 40*s.* to be recovered from the owner, &c. if he cannot prove on oath he gave a ticket, or that the slave went without his consent. If justices do not inflict this penalty, they forfeit 5*l.*

Slaves are to be allowed the usual holidays at Christmas, Easter, and Whitsuntide; but they are not to have two successive days, except Christmas-day and the day immediately succeeding. If any master, &c. allow a slave more holidays at those seasons, he is to forfeit 5*l.*

Slaves are, under penalty of 50*l.* to be allowed one day in every fortnight, to cultivate their own provision-grounds, beside Sundays, except during crop

Field-slaves are to have half an hour for breakfast, and two hours for dinner; and they are not to work in the field before five nor after seven, except during crop, under same penalty

If any master, &c. suffer any strange slaves, exceeding twelve in number, to assemble and beat their military drums, or blow their horns or shells, on any settlement, or in any yard or place under his management, or do not endeavour to prevent it, by immediately giving notice to the next magistrate or commissioned officer, he is, on conviction in grand or assize courts, to pay a fine of 50*l.*; but the information must be given in five days after offence

10

11

12

13

14

15

16

17

18

19

20

21

All



All officers, civil and military, are empowered and required to enter into any plantation, &c. to disperse such assemblies, and prevent all unlawful drumming or other noise

22

Overseers, &c. who suffer any slaves to assemble together, and beat their military drums, or blow their horns or shells, are to be imprisoned six months, if information be given within five days. Slaves may be allowed to have diversions on the properties they belong to, so as they do not make use of military drums, horns, or shells; but such amusements must be over by twelve at night

23

Negro-burials must take place in the day-time only, and be ended before sun-set; and if any master, &c. knowingly suffer the burial of a slave otherwise, he forfeits 50*l.*

24

Free people or Indians suffering unlawful assemblies of slaves at their houses or settlements, are to be imprisoned (not exceeding six months), if complained of in five days.

25

Any slave found to have in his custody any fire-arms, gunpowder, flugs, or ball, is to suffer such punishment as justices think proper

26

If slaves offer violence to white people, by striking or otherwise, they are to be punished with death, transportation, or confinement to hard labour (not exceeding two years), as court think proper; unless such striking or conflict were by command of their owners, overseers, &c. or in the lawful defence of their owners persons or goods

27

Slaves who harbour or conceal runaways, are to be adjudged by a slave-court

28

Any slave who shall be absent from his owner or employer, without leave, for ten days, or who shall be found at the distance of eight miles from the house or settlement to which he or she belongs, without a ticket or other permit (except as mentioned in *cl.* 17), is to be deemed a runaway

29

For each runaway, the owner or manager is to pay 10*s.* and mile money (1*s.* for first mile, and 6*d.* for all others), if absent ten days without the privity or consent of such owner, &c. who must swear to the time of absence, if required by party taking slave up. Rewards are to be paid for slaves who usually reside in the towns, if absent ten days, though not eight miles from home. This act is not to alter rewards to maroons.

30

Persons apprehending slaves as runaways are to convey them first to their owners or managers, and afterwards, if they will not pay rewards and mile-money, or take the oath as to time of absence, to the workhouse (if there be one in the parish), or to the next gaol; in which case, the workhouse or gaol keeper is to pay those sums, under penalty of 5*l.* If white or free people take such slaves to workhouse or gaol, they are not to be paid till they make oath (which oath gaoler or workhouse-keeper, under penalty of 5*l.* must file in his office, and produce whenever required) that the slaves were at the reputed distance (except as in *cl.* 30) of eight miles from home; that they had no tickets; and that they had been first taken to the owner, &c. (if in the parish where slaves were apprehended) who refused to pay

31

No ticket is to be granted to a slave for more than one calendar month

32

On every 28th December, or in thirty days after, the owner, overseer, &c. of

every



every settlement must, on oath, give in an account of the births and deaths of the slaves belonging to such settlement, for the preceding year, under penalty of 50*l*.

33

And if the neglect of such giving-in arise from overseer or manager, he is to pay the penalty out of his wages

34

Within the same time, the doctor or surgeon of every settlement is, on oath, to give in an account of slaves dying, with, to the best of his judgment, the causes thereof, under penalty of 100*l* for each neglect. And if, from the returns, there appear to be more births than deaths, the overseer is to have, from the owner, 3*l*. *per* head for the increase then living; which sums are to be allowed to the owner out of his public taxes

35

Women who have six children living are to be exempted from all hard labour, and their owners from taxes for them, proof being given that the mother and children are living, &c.

36

Any persons whatever who give tickets, in order to conceal or protect runaways, are to be deemed guilty of forgery

37, 38

In order that owners and proprietors of runaway slaves may know when they are sent to any workhouse or gaol, the keeper of each is, upon oath, to advertise every week, in the Gazette of St. Jago de la Vega, the Royal Gazette, and the Cornwall Chronicle, the height, names, marks, sex, and country (where it can be ascertained), of each runaway in their custody, with the time of their being sent in, and the names of the owners (if known), under penalty of 10*l*. for each slave not advertised; and they may charge, for each slave, at the rate of 1*s*. 3*d*. *per* month for each paper; in default of payment whereof, they may detain such slaves till the owner, &c. pay that expence, as well as the reward and mile-money, with 12½ *per cent*. for laying out their money, 6*d*. *per* day for maintenance, and 2*d*. *per* day for medical care and extraordinary nourishment, where necessary. The gaoler, workhouse-keeper, or supervisor, and no other person, must make oath, that the charges in the account, for mile-money and the reward, were actually paid to the person who brought the runaway

39

Slaves in confinement are to have daily, Not less than one quart of unground Guinea or Indian corn, or three pints of the flour or meal of either, or three pints of wheat flour, or eight full-grown plantains, or eight pounds of cocoas or yams, and also one herring or shad, or other salted provisions equal thereto, under penalty of 10*l*. on the workhouse or gaol keeper

40

Slaves sent to gaols are not to be worked out, but be kept there, in order to be inspected by any person desiring it, under penalty of 50*l*.

41

Slaves who shall have been in this island two years, and shall run away, and continue absent for a term not exceeding six months, are to be tried by two justices, and punished as they think proper;

42

And any slave who shall run away, and be absent more than six months, is to be confined to hard labour for such time as court direct, or be transported for life

43

Slaves who pretend to supernatural power, in order to promote the purposes of rebellion,



rebellion, are to suffer death, transportation, or such other punishment as court thinks proper;

44

And those who prepare or give poison, though death do not ensue, are, together with their accessories, to suffer death or transportation for life

45

If any slave fraudulently have in possession, unknown to his owner, &c. any fresh beef, veal, mutton, or goat, or the flesh of horse, mare, mule, or ass, in any quantity above five and under twenty pounds weight, such slave is to be whipped, not exceeding thirty-nine lashes; and if there be found more than twenty pounds in his or her possession, and no satisfactory account be given how he or she became possessed of it, such slave is to suffer as two justices think proper, not extending to life, or imprisonment for life

46

If a slave steal any horned cattle, sheep, goat, horse, mare, mule, or ass, or kill them with intent to steal the carcass, or any part of the flesh, such slave is to suffer death, or such punishment as court thinks proper

47

On complaint made to a justice of peace, of any felony, burglary, robbery, rebellious conspiracy, compassing or imagining the death of white persons, or other offence whatever, having been committed by slaves, that shall subject them to suffer death or transportation, the justice is to issue his warrant to apprehend the offenders, and to have all persons brought before him, or some other justice, that can give evidence (which other slaves may be in all cases); and if, on examination, it appear probable that the slaves are guilty, the justice is to commit them to prison, and bind over the witnesses. Culprits are to be tried in ten days after complaint, and at the place where quarter-sessions are held, or where parochial business is usually transacted. The justice is to call in two other justices (who must attend, or each forfeit 20*l.*), and they are to issue their warrant to summon twelve persons, such as are usually impanelled to serve on juries (from which the master, owner, prosecutor, and various persons here specified, must always be excepted), to appear at a time expressed in the warrant; which they must do, under penalty of 5*l.* Nine persons are to compose the jury, and be sworn. If slaves be convicted, justices may give sentence of death, transportation, or confinement to hard labour for not more than two years. Execution of women with child is to be respited till a reasonable time after delivery. When the business of each court of quarter-sessions is ended, the justices are to form themselves into a slave-court, for the purpose of gaol-delivery;

48

And jurors summoned for quarter-sessions must serve in such courts. Justices, where any slave is condemned to die, may respite execution for thirty days, or till the governor's pleasure be known, if they see proper cause; and, if the jury apply to the justices for such suspension, they must comply, except in cases of actual rebellion, when they may order immediate execution

49

No less than three justices are to form a court, when offender may be subject to suffer death, transportation, or confinement to hard labour; and no peremptory challenges of any jurors, or any exception to the form of the indictment, are to be allowed

50

Where punishment of death is inflicted, the execution must be in a public part

of



- of the parish, and with due solemnity, and care must be taken by the gaoler or marshal, that the criminal is free from intoxication when tried, and from thence to and at the time of execution, under penalty of 5 *l.* The mode of execution is to be hanging by the neck, and no other, and the body is to be disposed of as court direct. Where several slaves are capitally convicted for the same offence, one only is to suffer death, except for murder or rebellion 51
- If slaves give false evidence, on the above-mentioned trials, they are to be punished as the prisoner would have been, if convicted 52
- Fees of slaves discharged by proclamation are to be paid by the public, proof being given, by the marshal or workhouse-keeper, that they have been properly maintained 53
- Records of these trials are to be kept by clerk of peace, who must attend the trials, and record proceedings in thirty days (under penalty of 20 *l.*); for which he is to be paid 2 *l.* 15 *s.* Deputy-marshal must also attend at trials (under the same penalty), and at the execution of such as shall be condemned to die, being paid 40 *s.* 54
- In all trials under this act, sufficient notice must be given to the owners, &c. of the slaves, or their attornies or other representatives 55
- Slaves sentenced to be executed or transported, are to be valued by the court; but the valuation must not be at more than 60 *l.* 56
- Such valuation is to be paid by the receiver-general; and the money transported slaves actually sell for is, by the deputy-marshal, to be accounted for, on oath, to the churchwardens of the parish, and by them be paid over to receiver-general, for the use of the public 57
- If slaves wilfully return from transportation, they are to suffer death 58
- Any two justices of peace may enquire into inferior crimes committed by slaves, giving sufficient notice to their owners, &c. of the time and place of trial; and they may order such punishment as they think fit, not exceeding fifty lashes or six months confinement to hard labour; the expence of which trial is not to exceed 10 *s.* to the constable, and must be paid by the owner, &c. or, if refused, be levied for 59
- Marshals are to deliver runaways to the governors and guardians of the workhouses, if demanded, being paid their fees, under penalty of 50 *l.* 60
- Runaways are not to be committed to gaol, if there be a workhouse in the parish 61
- Owners, &c. in possession of plantations or pens, knowing any of the slaves thereon to be possessed of a horse, mare, mule, or gelding, are to have such horse, &c. taken up, and sold, at a time appointed by vestry, at public outcry. If they refuse or neglect, they forfeit 30 *l.* for each offence 62
- No person is hereafter to permit slaves to keep horses, &c. under the penalty above mentioned; 63
- And, under the same penalty, every person giving in an account of stock is to swear that none of the horses, &c. belong, or are reputed to belong, to any slave 64
- No slave is to purchase a horse, &c. under penalty of forfeiting it; and if any person sell or give, or buy in trust for, a slave, any horse, mare, &c. they forfeit 30 *l.* The four above-mentioned penalties go to the informers 65



- When a warrant is granted against a slave, and the slave cannot be immediately taken, the owner, &c. is to be served with a copy of the warrant; and if it be proved that the owner, &c. wilfully detained or concealed such slave, the offender is to forfeit 100*l*. 66
- If any slave run away from the owner, &c. and go off, or attempt to go off, this island, or abet other slaves in going off, such offender is to suffer death, or such punishment as court direct 67
- If Indians or free people of colour abet slaves in such attempts, they are to be transported, and suffer death if they return; 68
- And if white people do so, they forfeit 100*l*. for each offence, and may be imprisoned twelve months 69
- Persons so aiding or abetting slaves in going off the island may be proceeded against, whether the principals be convicted or not 70
- If any overseer absent himself from the estate under his management, on any of the holidays herein allowed to slaves, without leave of his employer, he is, for each offence, to forfeit 5*l*. 71
- Justices must not sentence slaves to be mutilated or maimed, for any offence whatsoever 72
- If slaves, sentenced to be confined in the workhouse for a particular time, escape therefrom, they may, on being retaken, be re-committed, and be ordered fifty lashes 73
- If a marshal, constable, or workhouse-keeper, suffer a slave to escape, who shall be committed for any offence, and such slave shall not be retaken within two years, such marshal, &c. is to forfeit 20*l*. and may be sued for the slave's value 74
- If slaves hunt cattle, horses, mares, mules, or asses, with lances, guns, cutlasses, or other instruments of death, unless in company of their master, overseer, or some person by them deputed, or by permission in writing, they are to suffer such punishment as two justices shall think proper 75
- Justices are to enforce this act as well during martial law as at other times 76
- Jurors, witnesses, &c. under this act protected in their persons from mesne or judicial process, and slaves from being levied on 77
- Crimes committed while 29 *Geo. III. cap. ii.* and 32 *Geo. III. cap. xxii.* were in force, are to be adjudged as if they were still so 79
- This act is to be in force till 31<sup>st</sup> December, 1800 80
- Governor required to have the workhouses inspected for slaves who, in pursuance of 32 *Geo. III. cap. xi.* may be advertised for sale, and to have such of them taken as are fit to be pioneers to the light dragoons, upon the supervisors being paid the fees due for them, and if no persons appear to claim them xxxv. 1
- If proprietors afterwards appear, the slaves are to be delivered up, commanding officer being first repaid the fees, and all other expences he shall have incurred in defending his possession of such slaves; 2
- But no hire is to be paid for the time they shall have acted as pioneers 3
- See BREACHES of trust, &c.--CARRYING off slaves--COPARTNERCY--COPIES of tolls  
--CORONER'S inquests--DEEDS--DEVICES of slaves--FIRE-ARMS--FORCIBLE entry  
and detainer--FRAUDULENT conveyances--GAMING--GUNPOWDER--HAWKERS and  
pedlars



*pedlars*--INDIANS--INVEIGLING *slaves*--ISSUE of *negroes*--KINGSTON--LEVIES--  
MANUMISSIONS--MAROONS--MINORS--MORTGAGES--NEW *negroes*--PARTIES--  
PORT-ROYAL--POSSESSION--PUBLIC *workhouses*--RECEIVERS of *stolen goods*--  
RENTS--ST. CATHERINE'S--ST. JAGO de la Vega--SALE of *slaves* under venditioni  
exponas--SUPREME court--TOLLS of *slaves*--WRITS of *replevin*.

**Sloops.** See DROGGERS--FOREIGN *produce*--STOLEN *goods*.

**Small arms.**

Not to be fired after eight o'clock at night, without lawful occasion 33 Car. II. xxi. 12

**Smuggling, prevention of.** See DUTIES.

**Snares.**

None to be set by any person, but in planted grounds, under penalty of 40s.  
and paying all damages 33 Car. II. x. 14

**Soap.**

Not to be sold by invoice, nor otherwise than by weight, under penalty of 40s.  
for each box so sold 11 Geo. III. xii.

**Solder.**

None more than necessary to be used in joining plate 28 Geo. II. viii. 2

**Soldiers.**

May have Bath lands granted to them, if they will settle and manure them 4 Geo. II. ii. 6

No commander of any vessel, or other person, to secrete, or attempt to carry off,  
any soldier of an independent company at any time in this island, without a  
discharge from his commander, under penalty of 200l. 9 Geo. II. ix. 1

Nor shall any person hide, hire, conceal, employ, or entertain, any of them,  
without such discharge, certified by a magistrate, under penalty of 20l. 2

Those so concealed, &c. may be admitted as evidence 3

One lot of the Bath land to be laid out for the use of any who may be sick or  
infirm 22 Geo. II. xiii. 5

The above-mentioned penalties, inflicted by 9 Geo. II. cap. ix. declared to be  
incurred by those who shall hereafter entertain, conceal, or carry off, any soldier  
whatever stationed in this island 5 Geo. III. viii. 1

If any persons knowingly detain, buy, or otherwise receive, from a soldier or  
other person, any arms, ammunition, cloaths, caps, or other furniture, belong-  
ing to the king, or change the colour of the cloaths, they forfeit for each of-  
fence 5l. And if the penalty be not paid in four days, the offender is to be  
imprisoned three months, or be publicly whipped, at the discretion of a justice  
of peace 2

Are liable to be sent to public workhouses, unless they have a license to travel to  
a particular place, and are on the road thereto 32 Geo. III. xi. 1

See KINGSTON--ST. JAGO de la Vega--SUBSISTENCE of the troops.

**Solicitors.**



**Solicitors.** See ATTORIES at law.

**Spa.** See JAMAICA Spa.

**Spanish colonies.** See FOREIGN produce.

**Spanish gold coins.** See CURRENT coin.

**Spanish-Town road.**

**Trustees** appointed for building a bridge over the Rio Cobre, near Spanish-Town, and laying out a road from thence to the Ferry. Seven or more of the trustees hereby appointed, or that shall hereafter be appointed by virtue of this act, empowered to design and build the bridge; which is to be free to all persons, their carriages, cattle, &c. 15 Geo. III. xxii. 2

**A quorum** of the trustees are to view the lands, direct the situation of the bridge, and making of the roads; 3

**And** may purchase such lands as they think necessary 4

**Property** of the bridge vested in the trustees; a *quorum* of whom may proceed against persons injuring it as felons. 5

**Time** and place of first meeting of trustees, when (besides other business) a treasurer is to be elected out of their own body; after which, they may appoint future times and places of meeting. When there is not a sufficient number of trustees present at any meeting, the treasurer is, by public notice, to call another meeting. Trustees are, at all meetings, to defray their own expences; 6

**And** to keep minutes of all receipts, payments, contracts, &c. 7

**Materials** to be purchased, and work to be done, by contract. 8

**Treasurer** may receive any sum, not exceeding 4000 l. currency, that may be voluntarily contributed, and engaged to be paid by subscription, towards building the bridge; which he is to apply to that purpose, under direction of the trustees 9

**When** the bridge is erected, a jury is to be summoned, to lay out the road therefrom to the Ferry, and, if any disputes shall have arisen about the price of lands, to value them. Their appraisement is to be paid by trustees. 10

**Trustees** appointed for making a road from the Ferry to Kingston; 11

**Who** are to enter into any persons lands, and lay out the road. If disputes arise about laying out any part of it, a jury of the parish (either St. Andrew's or Kingston) where the land is situate, is, by order of a justice, to be summoned; who are to lay out the part disputed for, and make return to the justice. 12

**In** cases of neglect, justices to forfeit 50 l. constables and jurymen 5 l. 13

**A** new road to be laid out, from the church at Halfway-Tree, into the above-mentioned road. Justices and vestry of St. Andrew's to assess inhabitants for negroes to make and fence it. 14

**The** act appointing trustees for keeping in repair the road from Spanish-Town to Kingston, maintaining a bridge over the Salt-River, and other bridges, being near expiring, trustees appointed to act for those purposes when that act shall be expired. 15

A toll-



A toll-gate to be kept at the present place	16
Rates of toll; which are to be paid only once in a day	17
If toll not paid, it may be distrained for by collector, and goods sold in four days	18
Persons enabling passengers to elude the toll are to forfeit 10 l. which may be distrained for	19
Seven days notice, by advertisement, to be given of meetings for the purposes of this act	20
Trustees are, on expiration of the above-mentioned act, to advertise for proposals for mending the road, and keeping the bridge and arches in repair. Contracts are not to exceed two years	21
Trustees empowered to make contracts, closing with those most reasonable	22
Contractors for repairs are to collect the tolls	23
They may procure gravel, stone, &c. from any waste grounds; and, if not sufficient, get them, by order of trustees, out of any persons lands (excepting particular parts thereof), paying for materials and damage. If differences arise respecting damage, they are to be determined at quarter-sessions	24
Contractors to remove and prevent annoyances, cut down or lop trees, and turn water-courses; but with the least possible prejudice to individuals	25
They may also make causeways, cut drains, repair and erect bridges,	26
And build a house, not occupying more than 20 feet of land	27
Toll-gate and house vested in trustees; who may cause them to be removed, on application made by contractors	28
Contractors may erect one of the toll-gates on any part of the road, and must attend it	29
Six months imprisonment for damaging any toll-gate or toll-house	30
At all meetings, the major part of any seven or more of the trustees are to decide business	31
Narrow wheels may be used for the carriage of stone, lime, &c. for mending the roads only	32
Actions or suits, for matters done in pursuance of this act, must be brought in six months after the fact, and be tried in the supreme court; the defendant is to plead the general issue; and if he obtain a verdict, or plaintiff be nonsuited, &c. defendant may recover treble costs	33
Lands taken up for the roads are to be valued by a jury, and paid for by trustees out of the money arising from the tolls;	34
Which is to be a fund, for keeping the road, and the Spanish-Town and Salt-River bridges, in repair	35
This is to be deemed a public act	36
Commissioners appointed by 15 Geo. III. cap. xxii. for building the bridge, and for the two districts of the road, are hereby appointed commissioners for the whole business, and invested with the same powers as were therein delegated to any of them	16 Geo. III. xxi. 1
The commissioners are declared a body politic and corporate, for the purpose of borrowing 5000 l. and they and their successors are to have perpetual succession, and a common seal. Seven are to be a quorum, who are empowered to choose	their



- their successors and officers, and to make laws and ordinances respecting the corporation, and their agents and officers 2
- The commissioners are not, in their corporate capacity, to borrow money payable in less than twelve months; to discount any bills, bonds, or notes; nor to be treasurer or accountant for others 3
- Corporation may assign over the toll as security for monies borrowed, to the amount above-mentioned, with common interest 4
- Commissioners may lend money to the corporation 5
- Income of the toll may be mortgaged to contractors; they giving security for performance of the business they contract for 6
- All securities under the common seal are to be (*toties quoties*) transferable and devisable. Assignees and devisees, their executors, administrators, assigns, or successors, may maintain actions against the corporation 7
- Receiver-general directed to advance money to the corporation, if necessary 8
- This is to be deemed a public act 9
- Commissioners are not to make contracts for receiving the tolls, as directed by *cl.* 23 of the above act; 10
- But annually, on the 10th of January, to appoint a collector thereof; 11
- Who is, on the last day of every month, to pay over the proceeds to a treasurer appointed by the corporation. If trustees should appoint the receiver-general to be treasurer, he is to be responsible. Collector is to keep regular books, and exact accounts; which he is to attest, as often as required by trustees, before a justice of peace 12
- If collector refuse to account or pay, a justice of peace may take cognizance thereof, and, on conviction, order distress and sale of his goods; which not proving sufficient, he is to be imprisoned till he account and pay 13
- Treasurer is to keep books, in which all receipts and disbursements are to be particularly set forth. Such disbursements are to be made only by written orders of trustees. Treasurer's accounts are to be laid, on the 10th of January, and the 10th of every third month after, before the trustees; and annually, together with copies of contracts, before the house of assembly, in twenty days after meeting 14
- Trustees authorized to raise or lower the rates of the toll 15
- Additional commissioners appointed, with equal powers as the former 17 Geo. III. xxiii. 1
- Corporation enabled to convey tolls as security for a further loan of 5000*l.* 2
- If that sum be not otherwise obtained, receiver-general is to advance the whole, or so much as may be deficient, out of unappropriated public money 3
- Corporation may fix on and purchase land, and erect a house for a toll-house and the use of the corporation, the land not exceeding an acre, nor expence of the whole exceeding 1500*l.* to be paid out of the monies so borrowed. If disagreements arise about the land fixed on by commissioners, they are to be settled by a jury of St. Catherine's parish 4
- This is to be deemed a public act 5
- Other commissioners added to those appointed by former acts 25 Geo. III. xxi. 1
- The treasurer is to pay 1000*l.* annually to the trustees and commissioners appointed pointed



- pointed for the road from Spanish-Town to Bog-Walk; who are to expend so much as may be necessary thereon 32 Geo III. vii. 1
- New commissioners appointed for this road, with the same powers as those appointed by former acts 2
- This is also to be deemed a public act 3
- Surviving trustees appointed by the above laws, with new trustees herein appointed (seven being a *quorum*), are to design a stone bridge, to be built across the Rio-Cobre, near St. Jago de la Vega, which is to be free to all persons xxx. 1
- They are, within six months, to view the lands near the place above appointed, assign situation for the bridge, and lay out roads to it 2
- They are also to agree (if they can) for purchasing lands they judge necessary for erecting the bridge, and through which the roads are to be laid out, and, on payment of purchase-money (or, if no agreement be made, on making satisfaction as herein after mentioned), with all convenient speed, to lay out and make the roads, and erect the bridge 3
- Property of the intended bridge vested in the trustees for the road from Spanish-Town to Kingston. Those who damage it are to be proceeded against as felons. Expences of purchasing the lands, erecting the bridge, laying out and maintaining the roads, &c. are to be paid out of the Ferry toll, by the last-mentioned trustees 4
- Materials of the present bridge vested in the trustees appointed by this act; who are to use such of them as they think fit in the stone bridge, and sell the remainder 5
- Persons who are incapable of conveying lands may sell them, and all their estate and interest therein, in trust and for the purposes of this act; and all contracts, &c. so made, are, without any conveyance or acknowledgment whatsoever, to be valid, and venders to be indemnified 6
- If any persons refuse to dispose of their property in lands wanted, a justice of the parish of St. Catherine may cause a jury to be summoned, to lay out a road to and from the bridge into the Spanish-Town road. In case of disputes, the jury is at the same time to value lands, and estimate damages 7
- Any justice who neglects his duty herein is to forfeit 50 l. and each constable and juryman 5 l. for every offence 8
- On payment of valuation assessed by the jury, good titles are to be given to trustees; and if persons to whom satisfaction is awarded cannot prove their title, or shall refuse to convey their interest, when payment is tendered, then, on affidavit being made thereof by one of the trustees, and filed in the secretary's office, all the estate, interest, trust, &c. is to vest in the trustees appointed by this act, and all claimants whatsoever be barred. But if conveyances are afterwards made by proprietors, trustees are to pay the valuation 9
- Trustees hereby appointed are to meet at the court-house in St. Jago de la Vega, within ninety days after passing this act (fourteen days public notice being first given in the newspapers), in order to receive proposals, and make contracts, for building the bridge, &c. after which, they may assemble where and when they think proper; but if, at any appointed time, a sufficient number of trustees do not attend, the treasurer (who is to be chosen, when they first meet,



- out of their own body) is to give public notice for another meeting. Trustees  
are always to pay their own expences; 10
- And they are to cause minutes to be kept of all receipts, debts, contracts, &c. 11
- Materials are to be found, and work be done, by contract; and notice is to be  
given in one of the newspapers, for a month, of what materials are wanting,  
and work to be done, and for persons to send in proposals 12
- Treasurer appointed by virtue of this act may receive voluntary contributions and  
subscriptions 13
- Contractors may collect materials (timber excepted) for the bridge and roads from  
neighbouring uncultivated grounds, without paying for them; but they must  
level holes and pits. If there be not sufficient in such places, they may, by  
order of trustees, take them from any persons grounds (not being the ground  
whereon a house stands, garden, yard, meadow, planted walk, avenue to a  
house, or piece of provision-ground), paying for them and for damage; re-  
specting which, if differences arise, they are to be adjusted at quarter-sessions 14
- Lands purchased under this act, and the stone bridge when built, are to be vested  
in the present trustee or trustees, or the trustee or trustees for the time being,  
for amending, &c. the road from St. Jago de la Vega to Kingston; who, as  
well as the contractors, are to have full powers 15
- Trustees are, for payments to contractors, &c. to give certificates, payable, with  
6 per cent. interest, in twelve months after date, out of the tolls collected on  
the road from Spanish-Town to Kingston; the trustees for which road are  
hereby required to make such payments. If they have not monies to pay  
principal when certificates presented, they are to pay interest, and to pay it  
annually till principal discharged 16

#### Spanish wines.

A duty of 6 l. per ton to be paid on importation 1 Geo. II. i. 1

#### Special bail. See ARRESTS--RENTS.

#### Special juries.

- Are to be taken from the general panel, or list of grand and petty jurors warned  
for the supreme and assize courts, and be struck off, as has been usual, from  
the body at large of the jurors: And if the trial do not come on at the term  
for which they are warned, a new special jury, if required, is to be struck from  
the general panel for the next court, and so on till issue be tried: 28 Geo. III. i. 1
- Special juries are not to be granted by grand court, unless sufficient cause be shewn 2
- Grand court may, on motion of either plaintiff or defendant, in any suit to be  
tried in that court, or in either of the courts of assize, direct a special jury to be  
struck 32 Geo. III. xvii. 11
- The person applying for a special jury is to pay expences, unless judges certify  
in open court, under their hands, upon the back of the record, that a special  
jury was necessary 12
- Special jurors are to be allowed one guinea each, which is to be paid by applicant 13

#### Specialties.



**Specialties.** See ATTACHMENTS--CREDIT of the island--MUTUAL debts.

**Spencer, John.**

Having purchased a piece of land in St. Jago de la Vega, from commissioners appointed by a law now expired, whereby his title is annihilated, such title is hereby revived and confirmed 8 Geo. III. viii. 4

**Spirituuous liquors.**

A duty of 1 s. 6 d. per gallon to be paid on importation 1 Geo. II. i. 1

**Squibs.** See FIREWORKS.

**Standard mark.** See ASSAY.

**Standard weights.**

Twenty brass beams of a size convenient for weighing weights by the standard, twenty pair of scales, with chains and hooks proper for the beams, and twenty sets of brass standard weights, to be sent for from Great-Britain, and be distributed at the places herein mentioned 23 Geo. II. vi. 1

They are to be kept at the different places by the clerk of the market, or by such person as justices and vestry appoint 2

For every weight adjusted thereby 3 d. to be paid 3

Weights are to be adjusted on public wharves, at places where standards are sent to, every February and May, under penalty of 50 l. on the person having charge of the standard 4

Persons refusing to have their weights proved are to forfeit 50 l. to the person keeping the standard weights 5

Charges incurred by this act are to be paid by the public 6

**Statue of lord Rodney.** See PUBLIC build'ngs.

**Statute of distributions.** See ISSUE of negroes.

**Statute of frauds and perjuries.** See DEVISES of slaves.

**Statutes of England.**

Those which have been at any time introduced here, and accepted as laws of this island, are to continue as such for ever 1 Geo. II. i. 22

See EMBEZZLEMENT of naval stores--PRIVILEGE of assembly.

**Staves.**

Their dimensions, as settled in 1722 9 Geo. I. vi. 2

Must not be of less dimensions than forty-four inches in length, and four inches in breadth 13 Geo. III. xii. 7

If persons import or sell any of less dimensions, they forfeit at the rate of 40 s. per thousand 8



**Steers.** See CATTLE.

**Stilltards.**

Not to be used in any market, or in retailers or hucksters shops, under penalty of 20 s. for each offence 10 Ann. iv. 30

**Stipends.** See BENEFICED ministers.

**Stock.**

See CATTLE--ENGROSSING and forestalling--FORCIBLE entry and detainer--ISSUE of negroes--LEVIES.

**Stolen goods.**

Warrants may be had against persons belonging to any floop, canoe, or boat, public wharf, barquadier, or landing-place, where goods are suspected to be stolen, purloined, or embezzled, to oblige them to swear before a magistrate what goods, and how much, were stolen, &c. If they refuse to make oath, they forfeit 20 l. and, if self-convicted, must pay double the value of the goods so stolen. Such oath to extend no further than making them liable to the forfeiture 11 Ann. iii. 10

See RECEIVERS of stolen goods.

**Stoned horses.** See HORSES.

**Stops.** See FISH.

**Storehouse-keepers.**

Their weights to be examined every February and June 10 Ann. iv. 30

**Stores.** See EMBEZZLEMENT of naval stores--NAVAL or military stores.

**Storings.** See FASTS.

**Straps.**

A withe about the neck to be a common mark for them 33 Car. II. x. 5  
Are not to be kept more than forty-eight hours out of a pound, if there be one in the parish where they are taken up, under penalty of 5 l. for each 32 Geo. III. v. 3  
If they be hired out or used by pound-keepers, or their servants, 10 l. penalty is to be paid for each time 7  
If not claimed in three months, they are to be sold, after a month's public notice has been given by a magistrate 9

See CATTLE--POUNDS.

**Strong liquors.**

Those mentioned in this act are not to be retailed without licenses, under penalty of 10 l. 1 Geo. II. i. 13

**Sturdy**



**Sturdy beggars.** See PUBLIC workhouses.

**Subsistence of the troops.**

The following rations are to be supplied to the troops, which shall be at any time stationed here, on the first day of every week, by some person or persons appointed by the commissioners of public accounts: Seven pounds of good salt mels beef, or, in lieu thereof, five pounds of good salt mels pork; seven pounds of good flour; and a pint and three quarters of proof rum, not less than a year old; for every non-commissioned officer, drummer, and private soldier: The like rations, excepting rum, for each widow of a non-commissioned officer, drummer, and private soldier: Two third parts of such rations, except rum, for each wife of a non-commissioned officer, drummer, and private soldier: And one half thereof, except rum, for each child of such non-commissioned officer, drummer, and private soldier: And, in two days of each week, one pound of good fresh beef for each day, in lieu of a ration of salt provision for such day. The amount of the rations is to be paid by the receiver-general, out of the proceeds of any of the money-bills

30 Geo. III. ix.

**Substitutes.**

Allowed at Port-Royal for privates in the militia, except on extraordinary occasions

33 Car. II. xxi. 3

Allowed on parties for suppression of runaway or rebellious negroes

11 Gul. III. i. 2

**Sugar and sugar-canes.**

Not to be sold or given away by slaves, without they have tickets

8 Geo. II. vi. 3

**Sugars.**

To be weighed, if required, at public wharves, weight entered in a book, and receipt given

11 Ann. iii. 7

A duty of 6 d. per lb. for refined sugar, and of 3 s. per cwt. for muscovado or paneel sugar, to be paid on importation

1 Geo. II. i. 1

No person is to pay or bargain for freight of sugars, but by the weight they shall amount to when unladen in Great-Britain, America, or at any foreign market, under pain of forfeiting 2 s. 6 d. for every 112 lb. agreed for. The like penalty is to be inflicted on any owner, master, mate, &c. receiving or agreeing to take sugars on other terms. If penalties cannot be levied, offenders are to be confined till they pay

23 Geo. II. v. 1

Justices of peace, where no proof of weight can be brought, are to adjudge that each hogshead contained 14 cwt. each tierce 8 cwt. avoirdupoise, and of other packages according to their best judgment on evidence. This act is not to affect bargains made out of the island, nor agreements here for an entire cargo

2

See BREACHES of trust, &c.--FOREIGN produce--NEW-COMERS--PAYMENT--PRODUCE--PUBLIC wharves--RECEIVERS of stolen goods.

**Sugar-works.** See BREACHES of trust, &c.--PLANTATIONS.

**Suits**



**Suits at common law.**

Not to be at any time discontinued by martial law occurring

17 Geo. III. i. 2; 32 Geo. III. xii. 2

**Summonses.**

Those from the supreme court, and from all the inferior courts in the island (that of Port-Royal excepted) shall be delivered to parties, or left at their dwellings, fourteen days before the court, by a sworn marshal; otherwise the defendant is not bound to appear

33 Car. II. xxiii. 10

Port-Royal put in the same situation, in this respect, as the other parishes

8 Geo. II. v. 16

**Supercargoes.**

See **BOARDS**, *plank, scantling, and ranging lumber* -- **CURRENT coin** -- **MANIFESTS** -- **NEW negroes**.

**Superintendents.** See **MAROONS**.

**Supersedeas.** See **WRITS of error**.

**Supreme court.**

Judges for the time being are to have cognizance of all pleas, civil, criminal, and mixed, as fully as the courts of king's bench, common pleas, and exchequer have in England. Court is to be held at St. Jago de la Vega, once every three months. Five judges at least are to be appointed to hold the court, three whereof are to be a *quorum*

33 Car. II. xxiii. 1

No action is to be brought in this court for less than 20*l.* (except by inhabitants of St. Catherine's precinct), under penalty of 20*l.* to be paid by plaintiff

6

Judgment cannot go by default, till marshal appear in open court, and depose that the party was legally summoned fourteen days previous to the holding thereof

7

To procure attachments (unless in debts under 40*s.*), disclosure must be made to chief judge

8

Establishment of the fees of the judges, clerk, and cryer, in 1711

10 Ann. iv. 4

On the death or disability of a chief judge, the next assistant judge may act till a new chief judge be appointed, or disability removed

5

Where verdict does not amount to above 20*l.* (except where titles of lands are tried) no greater fees are to be taken here than are allowed in the inferior courts, under penalty of 100*l.*

9

To adjudge forfeitures in revenue cases

1 Geo. II. i. 9

Judges and officers to abide by this act, respecting provost-marshal's fees and mile-money

8 Geo. II. v. 2

Chief judge is to administer oath to secretary of the island, respecting the faithfully transcribing records

11 Geo. II. iv. 3

Judges are to administer oath to attornies, &c. respecting profits of real estates

13 Geo. II. ix. 3

Two of the judges, whereof the chief to be one, may, under the seal of the court,

empower



- empower persons, in the several parishes and districts, to take affidavits concerning any cause depending in this court; which are to be filed in the office, and then be made use of, as effectually as affidavits taken in court. Persons forswearing themselves are liable to the same penalties as if the affidavits had been made in open court. Commissioners are to have 1 s. 3 d. for each affidavit 14 Geo. II. iii.
- Judges to be governors of the free-school of St. Jago de la Vega 17 Geo. II. x. 2
- Chief justice to administer oath to assay-masters 20 Geo. II. xvi. 6
- Penalties on illicit trade may be recovered in this court 29 Geo. II. iv. 1 X
- Courts of assize being hereby established, it is declared, that all actions shall be originally brought and filed in this court, with the name of the county they belong to wrote on them 31 Geo. II. iv. 5
- Breaches of laws relating to trade and navigation, or duties and customs, informations under the quit-rent acts, and escheats, are to be tried in this court only 13
- In causes brought for slaves, or for freedom of any person, in actions in ejectment, dower, partition, and other actions respecting titles to lands or tenements, arising in Cornwall or Surrey, judges of supreme court may, on application by motion in open court, either by plaintiff or defendant, and on sufficient cause shewn by affidavit, direct the issue to be tried in the supreme court, by a jury of Middlesex. *Penalties in - caused by illicit trading may be also recovered in the Vice Admiralty Court. 29 G. 2. 4. 1*
- Extra costs thereon are to be paid by the party requiring the trial to be in this court 15
- Judges are not to reverse or revise judgments of assize-courts X 17, 18
- Fines, &c. are to be certified by clerk of the crown to attorney-general and receiver-general, in twenty days after the court following that in which they are set, imposed, &c. 1 Geo. III. xiii. 1
- Dockets of judgments, informations, &c. appertaining to the revenue, obtained as of one grand court, are to be certified in twenty days before the next 6
- Persons claiming estates left to issue of negroes may sue for them in this court 2 Geo. III. viii. 11
- In case of the disability, or absence from St. Jago de la Vega, of the chief justice, any assistant judge who is there may sign writs for him, he receiving all fees 4 Geo. III. viii. 1
- Chief justice, or assistant judges, may appoint barristers to enquire into and certify the abilities of attornies, solicitors, and proctors 2
- Writs of enquiry respecting lands of absentees informed against, for non-payment of quit-rents, are to be proclaimed the second Tuesday, and enquired into during the same court; 9 Geo. III. ix. 6
- And judges are to transmit the writ, with the verdict of the jurors, to the clerk of the supreme court 7
- Damages for not entering satisfaction on discharged judgments, are to be recovered in this court 11 Geo. III. xx. 1
- Judges may, on due proof of judgments having been wholly or partly paid to a deceased plaintiff, order satisfaction to be entered 2
- Collecting constables made amenable to this court 13 Geo. III. xi; 15 Geo. III. ix; 24 Geo. III. xi. 21



- Attornies, solicitors, &c. must be admitted as herein directed, before they are allowed to practise in this court 14 Geo. III. iii. 1
- Judges are not to set aside proceedings had before justices of peace, in cases of forcible entry or detainer, for want of form, if facts proved; xvii. 2
- But they may, if action of damages be brought in such cases, and verdict obtained by plaintiff, award double the damages assessed by jury 3
- Judges may fine and imprison, at their discretion, persons who pass bonds for more than is due on them xxviii. 5
- To sit no longer than till the Saturday in the third week after meeting; 15 Geo. III. vi. 1
- But may be adjourned sooner, business permitting 2
- One judge may hereafter open and adjourn the court 3
- Judges to inflict penalty on guardians, &c. who wrongfully suffer slaves of minors to be levied on 17 Geo. III. vii. 1
- If marshal ignorantly levy on such slaves, any judge may order restitution, or, if claim be doubtful, may stop sale 2
- To inflict penalty on persons who, after bond given, transport, conceal, &c. slaves purchased conditionally 5
- When, after judgment in dower, partition, or in *ejectione firmæ*, writs of error have been brought, and judgment affirmed, writ discontinued, &c. judges are to issue writs of enquiry, and award execution for mesne profits, damages, and costs xvi. 3
- Judges to have the same authority, in revenue matters, as barons have on the equity side of the exchequer xxvii.
- Judges are not to be removed from their offices, but by the king's order; 21 Geo. III. xxv. 1
- But governor may, by advice of five of the council, suspend any of them, accounting to his majesty for, and delivering to the judge a copy of the cause of, such suspension, signed by himself 2
- Judges are to proceed against persons who, having given marshal an engagement to produce levies left in their possession, neglect to fulfil it; 23 Geo. III. xiv. 2
- And to punish marshals who, when making levies herein described, act contrary to the intent of this act 7
- To grant writs of *venditioni exponas* when quit-rent bonds are not duly paid, as if "execution levied" had been returned 24 Geo. III. xi. 8
- To issue attachments against collecting constables of whom receiver-general makes complaint, and commit them to Spanish-Town gaol 24
- Writs of enquiry for emblements are to issue from this court, and be returnable hereto 25 Geo. III. i. 1
- When writ returned and filed, judges may award jury's valuation, fix time of payment, and enforce judgment by execution, &c. which no writ of error, appeal, &c. is to impede. If parties liable to emblements appear during the court wherein writ is returnable, judges may take security for the delivery of produce in kind, at usual barquadier; and judges are to name one of three persons who are to value it there 3
- Judges are to fine justices or jurors who fail giving attendance on execution of the above writs 8



- Court is not to grant special juries, unless sufficient cause be shewn, by affidavit or otherwise, that such jury is necessary for the trial of the cause 28 Geo. III. i. 2
- Judges empowered to release insolvent debtors; viii. 3, 4
- Appoint assignees from among their creditors, 9
- And remove them, if petitioned against 13
- Any one judge must grant a writ of assistance to officers of the customs, immediately on information being given on oath, under penalty of 200 l. xv. 6
- And may condemn vessels or cargoes, when the tonnage or valuation does not exceed certain rates 9, 10
- Chief justice, or any one judge, may proceed to trial under the inveigling act 29 Geo. III. iii. 13
- Judges are not, in cases of inveigling, to remove original proceedings till after judgment, nor set them aside for want of form 21
- Any two judges may order the disfranchisement and transportation of free people who employ, conceal, &c. runaway or rebellious slaves 35
- Judges may award recompence, where persons are injured by writs of replevin 30 Geo. III. ii. 1, 4
- During martial law, judges are to proceed in all criminal cases as at other times; 31 Geo. III. ii. 2
- And in cases of forcible entry and detainer, they are to proceed, notwithstanding it be in force 3
- In the taxation of surveyors bills, judges are to be guided by the fees established in cl. 8 of this act xxii. 9
- Judges are not to tax surveyors bills, on writs of view or orders of court, till they make oath of the work having been done, exhibit diagrams, &c. 12
- Nor before notice is issued, signed by such judge, for opposite parties to attend; service of which notice must be sworn to 13
- Judges may fine or dismiss, and they only can reinstate, deputy-marshals 32 Geo. III. xvii. 4
- May, on motion, order special juries to be struck, for trials in this court or the courts of assize 11
- May grant commissions for the examination of witnesses, *de bene esse*, to whom they think proper 14
- During a vacation, any one judge may take the examination of witnesses leaving the island; giving such notices as are herein directed 16
- Judges may punish, by fine or imprisonment, or both, persons who use slaves cruelly xxiii. 13
- Five senior assistant judges for the time being are to be commissioners for printing the laws of this island, for fourteen years hereafter xxix. 1
- Each judge is to have two copies of the laws of this island, published, as herein directed, under the authority of commissioners 8
- See COURTS--MANUMISSIONS--MARTIAL law--MIDDLESEX--WRITS of error.

#### Surgeons.

Those employed on plantations or other settlements are, on every 28th December, or in thirty days after, to give in accounts, to justices and vestry, on oath, of



the deaths of slaves under their care, and the causes thereof, to the best of their judgment, under penalty of 100 *l.* for each default. 32 *Geo.* III. xxiii. 35

#### Surplusage.

Of the revenue arising by 1 *Geo.* II. *cap.* 1. is to be applied in aid of appropriations in money-bills. 28 *Geo.* III. xiii. 1  
This act will expire on the 31<sup>st</sup> December, 1794. 2

#### Surrender of lands.

Those possessors of lands who are inhabitants in the island, having first paid quit-rents and arrearages, may surrender any whole tract or parcel, by delivering to the clerk of the chancery all the patents, grants, &c. thereof, or by certifying the records. 8 *Gul.* III. i. 3  
All proprietors of lands allowed to surrender them in the manner above mentioned; 2 *Ann.* vii. 10  
But not without they are free from all former gifts, grants, mortgages, intails, and incumbrances; 11  
Nor without their quit-rents are paid up from Michaelmas, 1692. 12  
Owners of lands for which quit-rents are due, or their lawful agents, may surrender them in lieu of payment, first making oath (in form here prescribed) that they have not received profits from them equal to the quit-rents due, and that they have no design of obtaining a re-grant thereof. This oath must be taken in open court, before judges of supreme or justices of assize courts, and be recited in the deed of surrender. 29 *Geo.* III. xii. 4  
In order to prevent fraudulent surrenders, persons who apply for grants of such lands must make oath (in form also prescribed), before the governor, or some person by him appointed, that the lands were not surrendered by them, and that the grants are not to be taken in their name in trust for the persons who surrendered the lands, or any claiming under them. 5  
*See REGISTER in chancery, and clerk of the patents--SECRETARY.*

#### Surrep.

This county constituted, and declared to contain the parishes of Port-Royal, Kingston, Portland, St. Andrew, St. David, St. Thomas in the East, and St. George. 31 *Geo.* II. iv. 1  
A sufficient gaol to be built at Kingston, for the use of this county. 32 *Geo.* II. iii. 1  
If any person be found dead in the county-gaol, the coroner's fees are to be paid by the public. 11 *Geo.* III. xv.  
A purse of one hundred pistoles to be run for yearly in this county, on the first Thursday in August. 30 *Geo.* III. xii. 6

*See COURTS of assize.*

#### Surveys.

If, upon a survey, wherein the survey or plat in the patent-office varies from the real run and marked lines, any disputes arise, bounds are to be settled according to the lines. 2 *Ann.* vii. 4  
*Surveys.*



**Surbeyor general.**

- Not to act before he shall give 4000 *l.* security, in the secretary's office, for the faithful performance of his trust. If damage be incurred by means of him, or his deputies, application is to be made to the governor, his bond be put in suit, and damages obtained in the same manner as directed by 35 *Car. II. cap. i. cl. 4* (respecting persons leaving the island) 35 *Car. II. v. 1*
- No other person, unless authorized by him or the governor, can act where the king is a party 2
- Time in which he, or his deputy, is obliged to execute warrants for surveying or running lands, in the different parishes, under penalty of 100 *l.* He is to have satisfaction, at the rate of 10 *s.* *per* day, if disappointed in his business 3
- To keep his office at St. Jago de la Vega, under penalty of 500 *l.*; and he, or his deputy, to attend it, from eight to eleven in the forenoon, and two to five in the afternoon, except Sundays and holidays, under penalty of 40 *s.* 4
- Surveyors to be re-examined for what concerns the king 5
- He may employ deputies, his bond for 4000 *l.* standing in force vi. 10

See SURVEYORS.

**Surbeyors.**

- Any person may survey, re-survey, run dividing-lines, and give plats, where the king is not a party 35 *Car. II. v. 2*
- Surveyors must personally survey and measure land wherever possible, see lines fairly made, and corner-trees marked with the initials of the person land is intended for, before he delivers the plat; which must represent the respective parcels of land, their bounds and bearings, express the sort of wood every corner-tree is of, and have the scale drawn or expressed, under penalty of 50 *l.* for neglect in either case vi. 1
- Where a surveyor is employed to survey or re-survey land bounding on land already taken up, he must give notice to the reputed owners thereof, before he runs upon the lines, if he know them, and they live in the precinct; and if not, to the two next neighbours, under penalty of 20 *l.* 2
- No surveyor is to lay out land for his own use, but must employ some other surveyor, under penalty of 50 *l.* 3
- Present surveyors are to complete unfinished surveys, and rectify omissions and errors, when required, if the land have not been patented above four years, under penalty of 20 *l.* 4
- When an order for survey is offered to a surveyor, he must indorse it with particular memorandums, and survey the land for the person who brings it, if he be ready according to surveyor's appointment. If a surveyor shall have already received an order, which he believes is for the same parcel of land, he must then declare it, and shew the order, if desired, under penalty of 40 *l.*
- Surveyors must, on every survey, return two plats into the patent-office 5
- To have 3 *d.* *per* acre for surveying any quantity of land, and no more 8
- They must, before they act, and under penalty of 50 *l.* give 300 *l.* security for the just performance of their business; which bonds are to remain in the se-



- cretary's office, be recorded, and, if necessary, be sued in manner directed by  
 35 *Car. II. cap. i.* (respecting persons leaving the island) 9
- Establishment of their fees, in 1711 10 *Ann. iv. 31*
- Not to run any lines, on a writ of view; but those in dispute, under penalty of  
 500 *l.* unless particularly directed by the court 4 *Geo. II. iv. 3*
- Their fees on such writs; if they take more, they forfeit 100 *l.* 4
- When application made to them to re-survey land, they must make entry in a  
 book kept for the purpose; and must first survey for those who first apply, pay-  
 ment being tendered, under penalty of 200 *l.* 5
- On writs of view or orders of court, surveyors are faithfully to delineate all old  
 marked lines, and known or reputed boundaries, as well as all lines which  
 have been fixed by any former writ of view or order of court, which they  
 know of; they are also to insert field-notes and remarks, under penalty of  
 100 *l.* for each offence 31 *Geo. III. xxii. 2*
- When a surveyor intends to survey or re-survey, he is to give ten days notice, in  
 writing, to the neighbouring proprietor or proprietors (his or their executor,  
 guardian, attorney, manager, or overseer, personally) expressing the particular  
 run, by what authority, which of the lines, the particular corner, the course  
 intended, and the day and hour he purposes to begin; from which corner,  
 and on which course only, he is to proceed, under penalty of 100 *l.*; and if  
 he do not begin to run at the appointed time, he must give fresh notice, in  
 the manner above directed 2
- If a surveyor run out any crown land which has been settled, as mentioned in  
 4 *Geo. II. cap. iv. cl. 7*, or deliver a plat thereof to any person (except to the  
 person in possession), in order to be annexed to a grant or patent, he is to for-  
 feit, for each offence, 500 *l.* suffer six months imprisonment, and be rendered  
 incapable of ever acting again as a surveyor of land 3
- No survey is to be valid, unless affidavit be made of the necessary notice having  
 been served; which notice is to be annexed to the diagram, and which affida-  
 vit must state that the surveyor proceeded from the particular corner or point  
 mentioned 4
- If surveyors deface or destroy lines fixed by a judgment, or any land-mark thereon,  
 they forfeit 500 *l.* 5
- And if, on orders, they return plats of land covered by prior plats, they are to be  
 liable to damages, unless the land were pointed out to them by the patentee 6
- To each return to orders for king's land, the surveyor is to annex an affidavit, that  
 he has, according to the best of his skill, surveyed and marked the outlines,  
 and that the field-notes are true, under penalty of 500 *l.* 7
- Surveyors fees for executing writs of view, orders of court, and other work 8, 9
- If surveyors charge for surveying any more than the lands contained within the  
 lines of the plaintiff's and defendant's lands in dispute, they forfeit 500 *l.* for  
 each offence 9
- When a surveyor is employed to survey or re-survey, not by virtue of a writ of  
 view, he is to be allowed mile-money from the place of his abode, and have a  
 daily allowance while delayed 10



No person is to be appointed a surveyor who has not served five years here, or been a sworn surveyor in the British dominions, and undergone an examination by three sworn surveyors (appointed by the grand court), two of whom are to certify his qualification upon oath, in form here set forth; which is to be produced to the governor by the party applying for a warrant or commission. If any person act without being so qualified, he forfeits 100 l. and is incapacitated

11

Surveyors bills, on writs of view or orders of court, are not to be taxed till they have taken the oath herein prescribed before a judge of the supreme court, to whom they are to exhibit the diagrams, and explain the foundation of the charges. The oath is to be annexed *verbatim* to the account. In cases of ejectment, their bills must not exceed 150 l.

12

Taxation of surveyors bills is to be conclusive evidence, and they may recover on actions brought thereon. If they take more fees than are herein allowed, they forfeit 100 l. for each offence, and become incapable. Notice must be duly given of the time appointed for taxing their bills, and oath made of service thereof, before judge proceeds to taxation

13

Surveyors and others making any oath or affidavit under this act falsely, are to be deemed guilty of wilful perjury

14

When appointed in ejectments, they are to take the oath here set forth;

16

And act as herein directed, under penalty of 100 l. unless prevented by sickness

17

They are to sign diagrams, and deliver them to parties thirty days before trial

18

Their bills are to be paid by the party against whom judgment is given, or by applicant for a new trial

19

See CROWN lands--EJECTMENTS--MAROONS--POSSESSION.

### Surgeons of highways.

Are to proceed in the discharge of their several duties, as well when martial law is in force as at any other time

31 Geo. III. ii. 5

See HIGHWAYS.

### Sworn measurers.

Every sworn measurer, when applied to by an importer of boards, timber, &c. must attend within twelve hours, under penalty of 40 s. to measure it, and, by a scratch-mark on each piece, express the exact quantity it contains

13 Geo. III. xii. 1

No persons are to be allowed as measurers, but such as have been examined and appointed by justices in sessions in the parish where they reside; for which application and certificate they are to pay 6 s. 3 d.

2

If any person attempt to act as a public measurer, without having been so qualified, he forfeits 10 l. for each offence

3

They are to be paid 5 s. *per* thousand feet, superficial measure, for all lumber they measure and mark

4

If any sworn measurer mark any board, plank, piece of joist, scantling, &c. for more than it contains, he forfeits, for each offence, 10 s.

5

See MEASUREMENT of boards, plank, scantling, and ranging timber.

Callow



**Tallow.**

**N**OT to be sold by invoice, nor otherwise than by weight, under penalty of 40 s. for each keg so sold 11 Geo. III. xii.

**Tame stock.**

If a hunting gang of dogs kill or maim any tame stock, or do them any damage, satisfaction, if less than 40 s. is to be obtained by means of a justice of peace; if more, it must be sued for. And if any person kill or maim tame stock, as sheep, hogs, or goats, either by hunting or otherwise, and do not immediately make it known to the next peace-officer, he is to forfeit 5 l. and pay damages 33 Car. II. x. 13

**Tabern-keepers.** See GAMING.

**Taberns.**

Not to be kept open on the 7th of June, under penalty of 40 s. 5 Gul. & Mar. i. 3  
Nor on the 28th of August, under same penalty 9 Geo. I. i. 3

**Taxed costs.**

See CLERK of supreme court--CREDIT of the island--PERSONAL actions.

**Taxes.**

See CHURCHWARDENS--CHURCHWARDENS and vestrymen--COLLECTING constables--  
COMMISSIONERS of public accounts--MINISTERS, poor, and churches.

**Taxing bills.**

Bills of costs at law are to be taxed by clerk of the court where actions sued;  
costs in chancery to be taxed by clerk of the chancery 10 Ann. iv. 36  
See SURVEYORS.

**Tenants.** See POSSESSION--RENTS.

**Tenants for life or years.**

See EMBLEMENTS--SALE of slaves under venditioni exponas--SLAVES.

**Tenants in common.** See WRITS of partition.

**Tender of payment.** See PAYMENTS.

**Tenements.**

See ALIENS--BREACHES of trust, &c.--CONVEYANCES--DEEDS--ESCHEATS--FORCIBLE entry and detainer--FRAUDULENT conveyances--MORTGAGES--NULLA bona--PATENTS--POSSESSION--RENTS--SUPREME court--WILLS--WRITS of partition.

**Testamentary estate.** See EXECUTORS.

**Testators.**



**Testators.** See EXECUTORS--GENERAL *issue*--MUTUAL *debts*--SLAVES.

**Thieves.** See RECEIVERS of *stolen goods*.

### **Tickets.**

Masters of vessels to give security in the secretary's office not to carry persons off without them

35 Car. II. i. 1

Those for slaves to pass with are to last only one calendar month

32 Geo. III. xxiii. 32

See PERSONS leaving the island--SECRETARY--SLAVES.

**Tickets for lotteries.** See LOTTERIES.

### **Timber.**

Any imported from America, which does not contain the marked measurement,

is to be burnt by the common cryer, who is to be paid 5 s. per thousand

9 Geo. I. vi. 1

See BOARDS, plank, scantling, and ranging timber.

### **Titchfield.**

The town to be built on Pattison's point, agreeable to 8 Geo. I. cap. ii. cl. 10, is to be so called,

10 Geo. I. viii. 4

And courts are to be held there

5

Fifty acres more than were before granted allowed for the town

12 Geo. I. x. 3

Six months allowed settlers for building, if their lots have not been granted away

for neglect

11 Geo. II. v. 9

A beam, pair of scales, and set of standard weights, to be kept here

23 Geo. II. vi. 1

See PORTLAND--STANDARD *weights*.

### **Titchfield free-school.**

Commander in chief, four senior privy-counsellors, speaker of the assembly, representatives for Portland, chief justice of the island, custos, four senior magistrates, churchwardens and vestrymen, and rector, all for the time being, together with six inhabitants of the parish, annually elected on the day when churchwardens and vestrymen are chosen, are to be trustees for the management of a free-school in or near Titchfield; five of whom are to be a quorum

26 Geo. III. vii. 1

Trustees incorporated, by the name of "The trustees of Titchfield free-school;" and the 350 acres of land, heretofore appropriated for common lands, vested in them, for erecting and endowing the free-school

2

They are granted full corporate powers, and are to have a common seal, on which is to be engraven, *Apollo directing Youth to the temple of Fame, erected on a steep hill, Fame sounding a trumpet on the top of the dome, with this motto, "Virtute & eruditione;"* which seal the custos is to keep

3

Trustees are to build a school-house, with out-houses, for the dwelling and use of one or more masters or ushers, for instructing youth (without charge to their parents) in reading, writing, arithmetic, Latin, Greek, the mathematics, and

other



other learning they think proper; which masters and ushers they are to appoint, and may remove

Trustees are to admit as many children as the revenues will allow, those of the inhabitants of Titchfield having preference; and to dismiss them on ill behaviour, or at eighteen years of age. They may enlarge or repair the buildings,

Make regulations for the school, settle stipends of the masters and ushers, and visit the school to reform disorders

They must not keep monies in their hands above thirty days, nor borrow it on interest; neither may they buy, sell, rent, or lease, to any of themselves, or to others for their use, any of the lands aforesaid, nor other lands, tenements, &c. which may be given to the charity

Persons offending against this act are to forfeit 500*l*.

*Title, pretence of. See INVEIGLING slaves.*

#### **Titles.**

Titles to lands or houses, derived from sales for valuable considerations, made either by provost-marsbals, creditors, executors, administrators, husbands in right of wives, from indorsement or delivery up of patents, decrees in chancery, last wills and testaments, or patents granted on judgments in writs of escheat or *cessavit*, declared good and valid, if the possessor, his heirs, &c. have not had their title impeached within seven years

33 *Car. II.* xxii. 1

Many writings, evidences, and conveyances, having been totally destroyed by the late earthquake, and subsequent descent of the French, the titles of persons who have been, or shall be, in quiet possession of lands, tenements, hereditaments, or slaves, for five years, are declared valid, and they are to hold them as estate of inheritance, unless in cases of minority, coverture, or insanity

10 *Gul. III.* i. 1

Titles to lands, houses, or other things, derived from patents under the great seal, are to bar the rights of the crown, if recorded in the office of enrolments

2 *Ann.* vii. 1

Those to lands or slaves cannot be intermeddled with or determined in any of the inferior courts

10 *Ann.* iv. 12

Many records having been destroyed by the earthquake and fire at Port-Royal, and several titles having been so unskilfully drawn as to admit of disputes, persons who have held, either by themselves or those they claim under, any lands, houses, slaves, or other hereditaments, for seven years without suit or interruption, are to hold them in fee, against the crown, and all persons whatsoever, not being minors, &c.

xii. 1

Bills of sale, deeds, and conveyances, duly executed, proved, and recorded, declared sufficient to convey away the titles to negroes or estates, though no valuable consideration be mentioned therein. But no titles are to be valid that shall be given by minors or insane persons, though they receive valuable consideration

3

Confirmation of the titles of those persons who hold lands, tenements, slaves, or

hereditaments,



hereditaments (not belonging to incapable persons), under any deed, will, or conveyance, or by patent for which quit-rent has been paid for twenty years (though it or the assignment be lost), and have been in possession seven years, notwithstanding the title of any prior patentee; but this act is not to confirm or give titles to persons seized of lands devised to charitable uses, nor to mortgagees, lessees, attornies, guardians, tenants for life or years, &c. 4 Geo. II. iv. 1  
 Persons who have had grants of lands near barracks confirmed in their titles, if they have proceeded in making settlements 11 Geo. II. vii. 1

See PUBLIC workhouses--SLAVES--SUPREME court--TOLLS of slaves--WILLS--WRITS of partition.

### **Tobacco.**

None to be smoked in any savanna, plantation, or highway, under pain of forfeiting 10 s. and making good damages, or of having corporal punishment 33 Car. II. x. 7  
 A duty of 4 d. per lb. to be paid on importation 1 Geo. II. i. 4

See NEW-COMERS.

**Tolling cattle.** See CATTLE.

### **Tolls of slaves.**

Clerks of the peace, or clerk of the vestry where there is no clerk of the peace, are to keep a book in which entries shall be made of all slaves sold; expressing the time of the sale, names of vender and vendee, name and mark of each slave, and sum paid; which entry shall confirm sales, and be a sufficient record, and erasures or embezzlements be punished. If any buyer neglect to make such entry, he forfeits 40 s. New negroes need not be tolled 8 Gul. III. ii. 44  
 For each toll 5 s. to be paid, instead of fees allowed by 8 Will. III. cap. ii.

28 Geo. II. vii. 2

See COPIES of tolls.

**Trade.** See SUPREME court.

**Tradesmen.** See GAMING--PARTIES.

### **Transcripts.**

Of such deeds, plats, patents, or other papers, as shall be directed to be made, by commissioners hereby appointed, shall be as valid as the original records 11 Ann. iv. 2  
 See RECORDS--REGISTER in chancery, and clerk of the patents--SECRETARY.

**Transient poor.** See PUBLIC hospital.

**Transient tax.** See KINGSTON--MONTEGO-BAY--ST. JAGO de la Vega.

**Travelling charges.** See CREDIT of the island.

**Treason.** See ADMIRALTY, court of--BROAD seal.



**Treasury.** See COMMISSIONERS of public accounts.

**Trelawny.**

- Constituted a parish, and endowed with the same rights as others 14 Geo. III. xxxi. 1  
 Adjustment for taxes collected, and debts due, at the time it was divided from St. James's 2  
 Freeholders are to be summoned yearly to meet at Martha-Brae, the second Tuesday in March, to choose churchwardens and vestrymen, officers and electors being qualified as directed by 22 Geo. II. cap. xvi. cl. 2 3  
 Books for recording freeholds, &c. &c. to be provided within six months 4  
 Churchwardens to pay 200 l. per ann. to the incumbent 5  
 Justices and vestry empowered to raise 140 l. per ann. for the water-bailiff at Martha-Brae 23 Geo. III. xxvii. 6  
 They are appointed commissioners for carrying this act into execution 11  
 Horse-race to be run in this parish, on a course appointed by justices and vestry 30 Geo. III. xii. 6  
 See MARTHA-BRAE, harbour of--MARTHA-BRAE Point--RIO-BUENO--ST. JAMES'S and Trelawny.

**Trelawny-Town.** See MAROONS.

**Trespass.** See DUTIES.

**Trinkets.** See ASSAY.

**Troops.** See SUBSISTENCE of the troops.

**Trover, actions of.** See WRITS of error.

**Trustees.**

See ASSEMBLY, house of--BREACHES of trust, &c.--COMMISSION--INVEIGLING slaves--ISSUE of negroes--LEVIES--MINORS--POSSESSION--QUIT-RENTS--SLAVES.

**Turtle.**

- Persons destroying turtle-nests, or taking away the eggs, are to forfeit 40 s. or receive corporal punishment 33 Car. II. iv. 2; 10 Ann. xvi. 2, 4  
 Masters of turtling vessels are to give security but once a-year 35 Car. II. i. 2  
 Not to be sold by retail, but in open market, under penalty of 40 s. 5 Gul. & Mar. vi. 4, 7; 10 Ann. iv. 30  
 Turtling vessels need not have pilots 10 Geo. II. iv. 5

**Twenty-eighth of August.** See FASTS.

**Uprisingmen.**

- To convey the poor, as well as vagabonds, to the parishes they belong to, under penalty of 40 s. 35 Car. II. xi. 2  
 Unnecessary



**Unnecessary delays of execution.** See WRITS of error.

**Unqualified ministers.**

**I**F any minister, not qualified as by this act directed, shall marry any persons, he forfeits 100 l. 33 Car. II. xviii. 10

**Unsettled lands.** See ABSENTEES.

**Usurp.** See INTEREST.

**Utensils.** See LEVIES--PLANTATION, &c. utensils.

**Wagabonds and vagrants.**

**P**OPLE found wandering about, or misbehaving themselves, are to be apprehended and carried before a justice of peace; and if it appear that they are able but refuse to work, they are to have thirty nine lashes on the naked back, and be sent from parish to parish, the nearest way to that where they dwelt for a year last past 35 Car. II. xi. 2

See PUBLIC workhouses.

**Value of foreign gold coins.**

Ascertainment of that of such as are allowed to be current here 14 Geo. III. xviii. 5  
Allowance of 3 d. per grain to be made, where any are deficient in weight 6

**Wool.**

Meat offered for sale as such, which weighs above 25 lb. the quarter, is to be considered beef 5 Gul. & Mar. vi. 2

**Wenire facias.**

Addition to be made, respecting trials for lands of absentees informed against 9 Geo. III. ix. 5

See COURTS of assize--JURORS.

**Were.**

This name, given to the parish in 1677, confirmed 33 Car. II. xviii. 12  
No fish-pots to be set, nor weirs made, in the creeks of the Bogue, 10 Ann. xvi. 1  
Under penalty of 40 s. and slaves to have thirty-nine lashes 4  
Part of Carpenter's Mountains annexed to this parish 12 Geo. II. vi. 1  
Churchwardens and vestrymen are to be elected on the first Wednesday in January 22 Geo. II. xvi. 2  
The plat-books of this parish having been lately transcribed, it is declared that such transcripts shall be deemed legal records, when the clerk of the patents has attested their being true copies 9 Geo. III. xvii. 1



Horse-races may be run at Hayes Savanna 30 Geo. III. xii. 7  
 30 l. added to the rector's stipend; which justices, churchwardens, and vestry-  
 men, are to raise and pay, xiii. 3  
 Under penalty of 50 l. on each defaulter. 4

See BARRACKS--BENEFICED ministers.

### Were free-school.

Several persons having made charitable donations of lands, slaves, and money, to  
 the poor of Vere; of which bequests there being a surplussage, and the poor  
 otherwise provided for, the surplussage and charities are hereby appropriated  
 to endowing a free-school, and trustees appointed 13 Geo. II. x. 1  
 They and their successors are to have all the property in trust, and be incorpo-  
 rated, by the name of "The trustees of the free-school of the parish of Vere" 2  
 They are to have a common seal, in which is to be engraved, *A boy with a book*  
*in his hand, on one side, and another with a mallet and chissel, making a cotton-*  
*gin, both in a circle, round which are to be the Latin words, "Eruditione et*  
*labore;"* which the chief resident magistrate is to keep. 3  
 Lands, rents, &c. vested in trustees; to whom executors, &c. are to account 4  
 Trustees are to erect a school-house, for the dwelling and use of masters and ush-  
 ers, and for instructing the children of parishioners (without charge) in reading,  
 writing, arithmetic, Latin, Greek, the mathematics, or other learning the trust-  
 ees think fit. They are to appoint masters and ushers, and may remove them; 5  
 To receive children, and remove them on ill behaviour or inability, or bind them  
 out when fit to be apprenticed; to repair and enlarge the buildings; 6  
 Make regulations for the school, and visit it to reform disorders 7  
 They must not retain monies above thirty days, nor borrow it on interest; nei-  
 ther may they buy, sell, rent, or lease, any of the messuages, lands, &c. for  
 their own use or benefit 8  
 Persons offending against this act are to forfeit 500 l. 9  
 Members in assembly, three resident senior magistrates present at any meeting,  
 the rector, the churchwardens, all for the time being, of the parish of Vere,  
 together with five of the freeholders, chosen annually by the other freeholders,  
 appointed trustees for the management of the free-school, five of whom are to  
 be a *quorum*; but one of the members in assembly, one of the three resident  
 senior magistrates, or one of the churchwardens, must be of that number  
 9 Geo. III. vi. 2  
 Any one of the trustees may, whenever it is necessary to hold a meeting, cause no-  
 tice to be fixed on the church-door, fourteen days at least before the meeting.  
 Such meetings are to be held in the church, from whence trustees may adjourn 3  
 All the properties vested in the above trustees; who are to have the same powers  
 as were given to those appointed by 13 Geo. II. cap. x. 4  
 All parts of which act, except cl. 1, are to remain in force 5  
 Day of annually electing the five freeholders as trustees fixed for the first Wed-  
 nesday in January, instead of the day which was appointed by the above act

13 Geo. III. xv. 2

All



All other parts of that law to remain in force

3

If any voter at such election is objected to, by a freeholder who is present, as not having a sufficient freehold in the parish, he must attest his qualification in the manner herein specified;

4

Which oath may be administered by a magistrate present, or by any freeholder who has voted. If any person commit perjury therein, he is to suffer as if he had done it in a court of record.

5

#### Vessels.

Persons convicted of stealing any shallop, boat, wherry, canoe, or other vessel, or assisting therein, are to be adjudged guilty of felony

35 Car. II. iv. 4

If intention so to do be proved, the offender, if free, shall pay 10*l.* or give security for it, otherwise be exposed to public sale for payment, not exceeding four years; but if he be a servant, he shall be whipped, not exceeding thirty-nine lashes, on the bare back, and also, after his indenture is expired, be sold for four years.

5

See ANNOTTA-BAY--ARMS, accoutrements, and ammunition--CARRYING off slaves--CLEARANCES--DROGGERS--DUTIES--FIRE--FOREIGN produce--GRAVESEND--GUNPOWDER--HARBOURS--KINGSTON--MANIFESTS--MARTHA-BRAE, harbour of--MASTERS of vessels--PORTS of entry and clearance--PUBLIC hospital.

#### Vestries.

The minister to be always one, and no order to be made without his having had timely notice

35 Car. II. vii. 1

The act for preventing breaches of trust by attornies, &c. is to be read quarterly in all vestries

13 Geo. II. ix. 5

Any six vestrymen may exercise the full powers of justices and vestries, in parishes where there are no justices

22 Geo. II. xvi. 8

See CHURCHWARDENS and vestrymen--JUSTICES and vestrymen.

Vice-admiralty. See ADMIRALTY, court of.

Widowall-houses. See SEAMEN--LICENSES.



**Wains for hire.**

**ONE** white man is to be kept for the first, and one for every two besides, to go forwards and backwards with them. Rates to be paid for goods carried in them between Spanish-Town and Passage-Fort. Their owners are to make oath, at each sessions, of the number they keep, and of the names of the white men. Those who do not keep such white men, or not make oath, are to forfeit 10 l.

11 Ann. iii. 9

**Waiter and searcher.**

He is, in time of war, to examine all vessels for arms and ammunition

31 Geo. III. xi. 3

**Wall of Port-Royal.**

Grant of 150 l. annually for preserving it

4 Geo. I. iii. 4

**War.** See LAWS and articles of war--SEA-COASTS.

**Wares.** See HAWKERS and pedlars--INTEREST--INVOICE--RECEIVERS of stolen goods.

**Warlike stores.**

Are not to be exported in time of war, without certificates

31 Geo. III. xi. 2

See ARMS, accoutrements, and ammunition--EMBEZZLEMENT of naval stores.

**Warrants of arrest.**

May be served at any time, as heretofore

33 Car. II. xxiii. 10

See PROCESS.

**Warrants of surbey.** See NAVAL officer--SURVEYOR-GENERAL--SURVEYORS.

**Watchmen.** See DIVIDING fences.

**Water.** See IRREGULAR grants.

**Water-bailiffs.**

See ANNOTTA-BAY--GRAVESEND--KINGSTON--MARTHA-BRAE, harbour of.

**Waywardens.**

Are to be elected in the several parishes by vestries, on the day churchwardens and vestrymen are chosen, or within a month after. In their neglect, justices in sessions are to appoint them

22 Geo. II. xvi. 4

[The appointment of waywardens has been otherwise regulated, by 33 Geo. III, since this abridgment was begun.]

**Weight.**

No goods, wares, or merchandize, which ought to be sold by weight, allowed to be sold by invoice

9 Geo. I. vi. 4

All



All butter, soap, candles, tallow, rice, flour, and biscuit, to be sold by weight,  
and not by invoice, nor in any other manner 11 Geo. III. xii.  
See DROGGERS.

### Weight of foreign gold coins.

Ascertainment of that of such as are allowed to be current here 14 Geo. III. xviii. 5  
Allowance of 3*d.* per grain to be made, where any are deficient in weight 6

### Weights.

Those in markets and retailers habitations are to be examined once a-year; and  
those belonging to wharfingers and storehouse-keepers every February and June  
10 Ann. iv. 30

See STANDARD weights.

Weights and scales. See PUBLIC wharves.

Weirs. See FISH.

Western islands. See AZORES--DUTIES.

### Westmoreland.

Its establishment as a parish, and boundaries 2 Ann. i. 1  
Adjustment for taxes collected, and debts due, at the time it was divided from St.  
Elizabeth's 2  
Divided into two parishes, one part retaining the former name, and the other be-  
ing called Hanover. Boundaries of each 10 Geo. I. v. 1  
Adjustment for taxes collected, and debts due 2  
A public road to be cut from the Cave, in this parish, to the west end of St. James's  
14 Geo. I. iii. 1  
Surveyor to make a return of the path to commissioners 2  
Copy of the return to be sent to the waywardens of each parish. Inhabitants to  
furnish white drivers, negroes, and tools; or pay 3*s.* 9*d.* per day for each negro  
deficient. Waywardens neglecting their duty are to forfeit 200*l.* 3  
Justices and vestry are, under penalty of 50*l.* to raise money for rebuilding and  
keeping in repair, the bridge over Cabaritta-River 6 Geo. II. ix. 4  
Churchwardens and vestrymen to be elected on the third Thursday in March  
22 Geo. II. xvi. 2  
Altered to the third Tuesday in January 15 Geo. III. viii. 2  
Toll and register-books having been, in the late storm, very much damaged, they  
are to be transcribed; 21 Geo. III. xviii. 1  
And the transcripts are to be deemed authentic records, when clerk of the peace  
has attested the copies being exact. His affidavit must be entered in each new  
book 22  
No wain or other carriage, for carrying sugar, rum, &c. (a cart with not more  
than two mules or horses excepted) is to be allowed to pass on the highways in



in this parish, unless the wheels are seven inches broad in the fellies, with a reasonable allowance for wear; except on the roads lying to the eastward of the Cave, to the northward of Dean's Valley, and to the westward of Springfield and Negril Spots. If any such carriage be found working, except as above, with narrower wheels, a penalty of 20s. is to be paid, for every offence, for each wheel; and, for all wheels narrower than six inches, a penalty of 40s. for each. Fellies of six inches may be used, if the fore axle be twelve inches shorter or twelve inches longer than the after axle-trees 29 Geo. III. xviii. 2

Horse-race to be run in this parish, on a course appointed by justices and vestry 30 Geo. III. xii. 6

Justices, churchwardens, and vestrymen, empowered to purchase lands for burial-grounds xiii. 2

See BARRACKS--BENEFICED ministers--GAOLS--MANNING'S free-school--SAVANNA-LA-MAR.

#### Westmorland and Hanover.

Justices and vestry of each parish are to employ surveyors to run the dividing-line between the parishes, under penalty of 50 l. on each person for neglect 6 Geo. II. ix. 1

A road to be cut from Savanna-la-Mar to Orange-Bay 2

Justices and vestry of these parishes are to allot negroes for clearing the roads, under penalty of 50 l. on each 3

So much of 10 Geo. I. cap. v. as respects the dividing-line between these parishes, repealed 29 Geo. III. xxii. 1

Adjustment of the dividing-line 2

Justices and vestry of each parish are, in sixty days after passing this act, to appoint a sworn surveyor to run the dividing-line, which surveyors are to finish in thirty days, under penalty of 100 l. on each or either for neglect. The line is to have distinguishing marks, and be for ever considered the boundary 3

The surveyors, or one of them, under penalty of 100 l. in sixty days after line run out, must make out a diagram thereof, and return it to the justices and vestry of the parishes, who are to cause it to be recorded in the secretary's office 4

Surveyors are to be paid by the respective parishes, for running out the line and preparing the diagram, such sum as the justices and vestry shall previously agree for 5

Justices and vestry, having received the return of the surveyors, are to cause two copies thereof to be made out, one of which is to be recorded by the clerk of the peace of each parish. All expences of carrying this act into execution are to be equally borne by the two parishes 6

If justices and vestry of either parish neglect duties herein required, each offender is to forfeit 20 l. 7

Wharfage and Storage. See PUBLIC wharves.

#### Wherries.

All wherries, boats, and canoes, plying for hire in the harbours of Kingston and Port-



Port-Royal, are to be numbered, and registered in the naval office. Number, place they belong to, and owner's name, are to be written conspicuously on each (as adjusted by naval officer), under penalty of 5*l.* For each register 2*s.* 6*d.* to be paid

15 Geo. III. xxiv. 2

Such vessels are to be properly fitted, be manned with five able persons, clear of infectious disorders, and ply from day-break till eight at night. If employment be refused or avoided, 40*s.* to be paid by the owner for each offence

8

In any of them, 3*s.* 9*d.* is to be paid for the passage to or from Port-Royal to Kingston, Passage-Fort, Port-Henderfon, or Greenwich; 5*s.* to or from Kingston to Passage-Fort or Port-Henderfon; and 15*s.* for the hire of a wherry for a whole day

4

See PORT-ROYAL--VESSELS.

### White persons.

One white man is to be kept at every cattle pen; where there are 200 cattle, two white men must be kept

33 Car. II. x. 3

Two are to be employed in each sloop or boat carrying goods for hire

11 Ann. iii. 2

One at least to be kept on every public wharf, bay, barquadier, and landing-place, to each three slaves; their names are to be given-in, on oath, at every quarter-sessions

3

One is to be with each hackney coach, chariot, or four-wheel chaise;

8

And one be kept for the first cart or wain, and one for every other two

9

If any servant, either indented or hired, misbehave during the time of the indenture, service, or contract, two justices are to inflict punishment according to the nature of the case, not extending to life or member; which judgment marshal is to execute

9 Geo. II. ix. 7

Certificates of payments made to maroons for taking up runaways must be given by white persons

10 Geo. III. v. 1

Those descendants of negroes who are above three degrees removed, in a lineal descent, from the negro ancestor exclusive, are to have all the privileges of white people, if brought up as Christians

21 Geo. III. xv. 20

White persons are not to employ maroon negroes, without a written agreement, under penalty of 20*l.*

32 Geo. III. iv. 16

Those who beat or ill-treat maroons may be prosecuted at quarter-sessions, and be punished at discretion of the court

18

A white person is to be constantly at every pound

v. 10

One of those belonging to each sugar plantation is allowed to stay from militia duty, in rotation

x. 22

Punishment of slaves for striking them; and in what cases slaves may resist them

xxiii. 27

If they give tickets to protect runaways, they are to be deemed guilty of forgery, and are to suffer such punishment as the court shall think proper;

38

And if they assist slaves to go off the island, they forfeit 100*l.* for each slave, and may be imprisoned twelve months

69

See CORPORAL punishment of white persons--INDENTED servants--PUBLIC workhouses

--SEA-COASTS.



**Wild negroes.** See MAROONS.

**Wild pigeons.**

Not to be killed in St. Catherine's or St. John's, nor on any island or quay, in the months of May, June, or July, - 10 Ann. xvi. 3  
Under penalty of 40s. and slaves to have thirty-nine lashes 4

**Williamson, Adam.** See GOVERNMENT *pen and mountain*--SALARY.

**Wills.**

When the will of a testator is exhibited to be proved, the executor is to answer upon oath to the value and circumstances of the defunct's testamentary estate, according to the best of his knowledge, and must, at the discretion of the ordinary, not only take the oath of an executor, but give such security as he shall direct, in the secretary's office, to return a just inventory, and an appraisement, within the time limited by the ordinary 10 Ann. xviii. 1

The exemplification of wills made in Great-Britain or Ireland, or any other British colonies or dominions, and sent here, attested as such (after probate thereof) under the seal of any archbishop; of the mayor, provosts, or bailiffs, of any corporation or body politic; or of any of the said dominions or colonies; and recorded or enrolled here, is to be sufficient evidence of titles to estates claimed under such wills 4 Geo. II. v. 3

Secretary is to record, at the public expence, all those wills, now unrecorded, which were lodged in his office before the year 1720 9

Those who forge or counterfeit a will, with intention to defraud any person, and those who utter or publish, as true, any such counterfeit will, knowing it to be so, are to suffer death, without benefit of clergy 15 Geo. II. iii. 1

See DEVISES of slaves--ISSUE of negroes--MANUMISSIONS--RECORDS--TITLES.

**Wines.**

It having been a practice to import Madeira and other wines in casks containing less than they ought; from henceforth, all pipes are to contain 126 gallons, all hogheads 63 gallons, and all quarter-casks 31 gallons; under penalty of paying at the rate of 50*l.* per ton, besides the duties now laid by law; which penalty is to be levied, and paid to the receiver-general, or his deputy, as other duties on wines are directed to be by 1 Geo. II. cap. i. 11 Geo. III. xi.

See DRUGGERS--DUTIES,

**Witnesses.**

See CROWN witnesses--EVIDENCE--EXAMINATION of witnesses.

**Wolmer's free-school.**

John Wolmer having bequeathed the chief part of his property for establishing a free-school in the parish where he should die, and he having died in Kingston, the commander in chief, four senior privy-counsellors, speaker of the assembly, chief



chief justice of the island, the custos, four senior magistrates, and rector, of Kingston, all for the time being, together with six inhabitants annually elected by the freeholders of the parish, are hereby appointed trustees for managing his donation

9 Geo. II. vi. 1

They and their successors are to be trustees of all properties given or purchased; and be incorporated, by the name of "The trustees of Wolmer's free-school"

They may place out monies on interest, lease possessions, and are to have a common seal, with *The sun breaking through a cloud* engraved thereon

Executors are to render an account of the profits of Wolmer's estate, within forty days

Trustees are to erect or hire a school-house, for the dwelling and use of one or more masters and ushers, for instructing youth (without charge) in reading, writing, arithmetic, Latin, Greek, the mathematics, and such other parts of learning as they think proper; which masters and ushers they are to appoint, and may remove on misbehaviour

They are to receive as many children as they think proper; and, on misbehaviour, inability, or on their attaining the age of eighteen, discharge them; and to repair and enlarge the school;

Make rules for its government, and visit it to reform disorders

They must not keep money belonging to the free-school in their hands above thirty days, nor borrow it on interest; neither may they buy, sell, rent, or lease, any of the lands, tenements, &c.

Persons offending against this act are to forfeit 500*l*.

Representatives in assembly, and churchwardens and vestrymen, of Kingston for the time being, added as trustees to those appointed by the above act, and invested with the like powers. The election of the six inhabitants, for annual trustees, is to be on the second Thursday in January

15 Geo. III. xiv. 2

A treasurer (who must be a reputable housekeeper, inhabiting the parish) is to be annually elected on the third Thursday in January. He is to attend all meetings of the corporation, keep regular books of the accounts, produce them at every meeting (if demanded by any member present), receive income and donations, and give releases; he is to lease or rent out lands and negroes belonging to the corporation; and also to place out at interest, or to pay, all monies by him received, in the manner ordered by one meeting, and confirmed by the succeeding meeting: But all securities, and leases of lands or slaves, are to be in the name of the trustees, and monies made payable to them only. The treasurer for the time being is to keep the seal; to be accountable to, and removeable by, the corporation

If treasurer die, leave the island, or be removed from the office, the corporation are, at their next meeting, to appoint some other reputable housekeeper to be treasurer; who is (subject to the same duties, and invested with the same powers) to continue treasurer till the succeeding annual election, but no longer, unless again elected

Corporation are to appoint treasurer's salary

All meetings (except that on the third Thursday in January) are to be convened

M. m 2

by



by public advertisement, signed either by the treasurer or three of the trustees;  
 and the notice must be published five days before the day of meeting 6  
 All meetings must be either at the free-school house or at the church, and be-  
 tween the hours of eight and twelve in the forenoon 7  
 Any nine of the trustees, appointed by this and the former act, are to be a *quo-*  
*rum* to make and confirm orders, &c. 8

#### Women under coverture.

Their rights to real properties not defeated by five years possession, if actions  
 brought in three years after they become sole 10 *Gul. III. i. 1*  
 Such rights not defeated by seven years possession, if actions brought in five years  
 after becoming sole 10 *Ann. xii. 1*  
 They are not to be so defeated, if actions brought in three years. 4 *Geo. II. iv. 1*  
 They may contest reputed boundaries, if suits brought within five years after they  
 can maintain them 14 *Geo. III. v. 2*  
 They may bring actions of replevin to recover any of their slaves, that have been  
 sold under *venditioni exponas* during their coverture, in five years after capa-  
 bility 23 *Geo. III. xiii. 1*

See LIMITATION--PUBLIC workhouses.

#### Working cattle.

If exposed to sale under writs of *venditioni*, they are to be sold by the yoke or  
 couple 8 *Geo. II. v. 9*

#### Wounded or disabled militia-men.

To be cured and maintained out of the public revenue 33 *Car. II. xxi. 6*  
 See MILITIA.

Wrecks. See HARBOURS--KINGSTON--PORT-ANTONIO--PORT-ROYAL.

Writers to the signet. See ATTORNIES at law.

#### Writs.

In case of the death or disability of the chief justice, the next assistant judge may  
 sign all writs, till a new chief justice shall be appointed, or the disability re-  
 moved; 10 *Ann. iv. 5*  
 And if a provost-marshal should die or be removed between the teste and return  
 of writs, his successor may make return 6  
 No writ is to be given out by the clerk of the supreme court, or his deputy, till  
 declaration be filed in his office 7  
 Writs may be signed by any assistant judge, who is in St. Jago de la Vega, when  
 the chief justice is ill, or not there 4 *Geo. III. viii. 1*  
 See COURTS of assize--PROCESS.

#### Writs of arrest.

May be sued out during martial law, against indebted persons who intend to leave  
 the



the island, on the creditor, or some person for him, making oath, to the best of their information and belief, of such intention 31 Geo. III. ii. 1

**Writs of assistance.**

Either of the judges of the supreme court, or any two magistrates, on information being given on oath by a proper officer, of goods being concealed, or suspected so to be, must, under penalty of 200 l. grant a writ of assistance 28 Geo. III. xv. 6

Any one magistrate, in places where application cannot be made to a judge of the grand court, or to two magistrates, must, under like penalty, grant such writ; 29 Geo. III. xv. 1

And in all cases where a positive oath is made, by one credible witness, that smuggled goods are concealed, any one justice of peace is, under like penalty, to grant the writ, on application by a proper officer. But such last-mentioned writ must be executed in the day-time only: And if the information prove false, damages and costs may be recovered, by action of trespass, against the officer who applied for the writ 2

**Writs of attachment. See ATTACHMENTS.**

**Writs of certiorari.**

No conviction made, or judgment given, under this act (to prevent excessive gaming by way of lottery, is to be removeable by these writs into the supreme court 13 Geo. III. xix. 4

If they be issued (unless it be during the sitting of grand court, and they are made returnable forthwith) before justices have finished proceedings relative to forcible entry and detainer, or forcible detainer, the justices are, nevertheless, to proceed, and restore the ousted party to possession, if entitled thereto; after which, they are to return proceedings, according to the exigency of the writ 14 Geo. III. xvii. 1

Proceedings had before one judge of grand court, or two justices of peace, in cases of inveigling, shall not be removed by *certiorari*, till after judgment, and commitment of parties 29 Geo. III. iii. 21

**Writs of dower. See WRITS of error.**

**Writs of election.**

Governor empowered to order them to be issued by the clerk of the patents, during a recess, on receiving notice of the death of a member of assembly from the speaker. Provost-marshal is to execute them in the same manner as if assembly were sitting 30 Geo. III. i. 9

**Writs of ejectment. See EJECTMENTS--WRITS of error.**

**Writs of enquiry. See EMBLEMENTS--FORFEITED lands--WRITS of error.**

**Writs**



**Writs of error.**

If any be brought on judgments given for plaintiffs in supreme court, and such judgments should be afterwards affirmed, writ discontinued, or plaintiff in error nonsuited, such plaintiff in error, on a certificate of three of the judges of the court, that such writ was frivolous, and brought for delay, is to pay defendant in error double costs, to be taxed as costs of increase, by the clerk of the court of errors; but which that court may reduce 24 Geo. II. xix. 3

No execution is to be delayed by writ of error, nor *superfedeas* issued thereon, for reversing any judgment given in the supreme or assize courts, on any action, bill of debt on single bond, obligation for payment of money, action or bill of debt for rent, nor on any bond to the king, nor in an action on the case upon promise of payment, action of trover, covenant, detinue and trespass, or other personal action whatever, until the person in whose name the writ is to be brought, or his representative (which must not be the attorney at law), with two approved securities, besides usual security, shall become bound, in double the sum adjudged, to the person who has obtained judgment (by recognizance acknowledged in court, or before a judge) to prosecute it to effect, and to pay amount of the first judgment and costs, as well as all *extra* charges, with damages, if judgment be affirmed, or writ discontinued

17 Geo. III. xvi. 1

In those writs brought on any final judgment, after verdict or by default, in writs of dower or partition, or in actions of *ejectione firmæ*, no execution is to be stayed, unless similar bonds are entered into by plaintiff in error, or his representative

If, in these last cases, judgment be affirmed, writ discontinued, &c. court which gave judgment is to issue a writ of enquiry respecting mesne profits and damages by waste, and award execution accordingly. This act is not to extend to writs of error brought by executors or administrators, to actions popular, to those brought on penal laws or statutes, nor to indictments, presentments, inquisitions, informations, or appeals

See EMBLEMENTS.

**Writs of escheat. See ESCHEATS.****Writs of execution.**

Are not to be taken out, served, or executed, till twenty-eight days fully expired after judgment (except at Port-Royal). No slaves, horses, or utensils belonging to a plantation, or brick or pot work, nor any slaves whatsoever, are to be taken in execution, where goods shall be offered for satisfaction of debt and costs

33 Car. II. xxiii. 10

Goods being taken in execution, defendant may have the selling of them, giving marshal notice of his agreements, that he may receive proceeds;

11

But if defendant delay sale till ten days before the ensuing court, marshal may remove and sell the goods

12

Where no such goods shall be offered to the marshal, so that slaves, horses, &c.

as



- as above, must be taken, they are not to be removed for sale till a *venditioni exponas* has issued 13
- Execution may issue against effects, although defendant be in custody 16
- Regulations for entering them after each court. Those which shall lie dormant a year are not to prejudice creditors who have lodged others, and proceeded thereon 8 Geo. II. v. 6
- When more than one shall be lodged for the same debt, poundage-fees are to be paid for the real debt and costs only 10
- Each writ of execution must be indorsed with the sum really due 11; 24 Geo. II. xvi. 1
- Not to issue, when judgments have been assigned, to any person but the assignee, or his attorney at law 14 Geo. III. xxviii. 8
- When original writs shall be first lodged with provost-marshal, he is to be paid 2 s. 6 d.; for which, when they are discharged, he is to enter satisfaction 21 Geo. III. xxiii. 2
- The above fee is to be taxed as part of plaintiff's costs 3
- May be sued out against future estate of persons who have taken the benefit of the insolvent act 28 Geo. III. viii. 6
- When rule of executors has been pleaded, executions lodged for judgments taken in two courts afterwards are to be on the same footing of priority 29 Geo. III. xiii. 3
- See DEFENDANTS--LEVIES--MARTIAL law--NULLA bona--PRIVILEGE of assembly--PROCESS--WRITS of error.

### Writs of extent. See NULLA bona.

### Writs of partition.

- The proceedings upon these writs, between copartners at the common law, joint-tenants, and tenants in common, being found tedious, and frequently ineffectual, on account of the difficulty of discovering the persons who have titles to undivided parts and purparts of the lands, tenements, slaves, and other hereditaments, which should be divided, the mode of delivering summons or other process is hereby regulated, and of obtaining judgment ameliorated 8 Geo. I. v.
- See COPARTNERY--PARTITION--WRITS of error.

### Writs of replevin.

- May be served at any time, as heretofore 33 Car. II. xxiii. 10
- Twenty days allowed for their being brought for slaves taken under *venditioni exponas*, if affidavit be first made, and duly served on marshal, that they are not the property of the person on whose account they are taken 9 Geo. III. xiii. 1
- Any marshal or gaol-keeper who shall have an action in replevin brought against him for slaves in his custody, not taken on *venditioni* or other process, is (under a penalty not less than 5 l. nor exceeding 50 l. as shall be inflicted by judges of grand court or justices of assize), immediately after receiving the replevin, to give notice in the news-papers of such action, at whose suit, the names of the slaves, with their marks, and the best information he can get concerning their owners 29 Geo III. iii. 30
- When



When any slaves, horses, neat cattle, &c. or other goods or chattels, are produced at grand or assize courts (by either plaintiff or defendant), in obedience to a writ of replevin, or subsequent process grounded thereon, or to a rule of court, or shall be in custody by virtue thereof, and the trial is put off on motion of the party (whether plaintiff or defendant) not having the custody of the slaves, &c. grand court may, at discretion, award reasonable recompence to be made to the injured party, and compel payment thereof by attachment or otherwise

30 Geo. III. ii. 1

If such properties are produced after an eloinment on the writ of replevin, a *nulla bona* on a writ of *withernam*, or *non est inventus* on a writ of *capias in withernam*, is returned, no recompence is to be allowed to the party producing them, in the court wherein either of those returns are made, although the plaintiff should not go to trial in that court. When the person (plaintiff or defendant) not having custody gives written notice to the party having custody, six days before the court, that he intends to come to trial, and the slaves, horses, &c. are produced to the court, immediately ensuing such notice, no recompence is to be given

2

When slaves, &c. are in custody in consequence of the writ, and trial is put off, the marshal's fees for detention are to be paid by the party on whose motion it is put off

3

Where defendant obtains judgment, or plaintiff becomes nonsuit, supreme court may award reasonable recompence to defendant, besides usual costs of suit, and compel payment by such summary mode as judges think fit

4

See LEVIES--MORTGAGES--SALE of slaves under venditioni exponas.

### Writs of venditioni exponas.

When slaves, working cattle, or necessary utensils, must be taken in execution, they are not to be removed, but remain in the defendant's possession; and, on marshal making return at the ensuing court, a *venditioni exponas* is to issue, without charge of mile-money, in form here set forth; by virtue whereof, sale is to be made by public outcry, at the next court of the precinct (except in that of St. Catherine), and the money be paid by marshal to plaintiff within ten days

33 Car. II. xxiii. 13

If defendant, within the time prescribed; hath not goods to offer the marshal, he is, nevertheless, not to lay the execution upon slaves, working cattle, &c. if defendant deliver to him any other stock or cattle, being in a pen

14

Damages which happen to goods, while so remaining in defendant's possession, are to be made good by him; and he is not to transfer any property therein

15

No more of the slaves or effects of defendants are to be sold than will satisfy debts, costs, and fees; or, where it cannot be avoided, the overplus must be returned to the owner within ten days after sale

8 Geo. II. v. 7

Slaves must be sold singly, unless in case of families; working cattle by the yoke or couple; and all other neat cattle, as well as horses, mares, and mules, singly

9

When more than one writ lodged for the same debt, either against the principal and his securities, or any others, poundage-fees are to be paid only for the real debt and costs

10

No



- No writ is to be executed, unless the real debt be indorsed thereon 11
- Marshal is to give to defendant, or some person on his behalf, a receipt, containing a particular account of all slaves, goods, or other things, seized 14
- Sale of neat cattle, horses, mares, mules, and other live stock, must be made within fourteen days after taken, five days public notice of time and place being first given 15
- Each writ must be indorsed by the plaintiff, or his assignee, or the attorney of such plaintiff or assignee (whose power must be recorded), or by their executor or other legal representative, or by the attorney at law of one of them, by order from such person in writing; and if the indorser, with intent to distress defendant, mark the writ with a greater sum than is really due, he forfeits 100 l. and, if he be an attorney at law, he may also be precluded from practising 24 Geo. II. xvi. 1
- Provost-marshal is not to receive any writ till so indorsed 2
- May be taken out against securities of the collecting constables of public and parochial taxes, and of quit-rents, when such constables are guilty of default, the same as if "execution levied" had been returned; and also against themselves and goods, after attachment has been lodged six days in provost-marshal's office, and *non inventus* returned; or against goods only of those who shall have been attached 13 Geo. III. xi. 2; 15 Geo. III. ix. 2; 24 Geo. III. xi. 21; 29 Geo. III. xii. 14; 30 Geo. III. xiv. 3
- When judgments have been assigned, no *venditioni* can be issued but to the party entitled to the assignment, or his attorney at law 14 Geo. III. xxviii. 8
- Those issuing on quit-rent bonds are to have priority of all preceding prior writs, bills, bonds, mortgages, &c. extant against the body or goods of the obligors 24 Geo. III. xi. 8; 29 Geo. III. xii. 11
- When any writ of execution is lodged, a precept is to be sent to the deputy-marshal, who is to execute it, and make return thereof in writing, on oath; otherwise, *nulla bona* must be returned, and no *venditioni exponas* be suffered to issue 32 Geo. III. xvii. 5
- See POSSESSION--PRIVILEGE of assembly--PROCESS--SALE of slaves under *venditioni exponas*.

Writs of view. See SURVEYORS.

Writs of withernam. See WRITS of replevin.

Wallah's Bay.

A BEAM, pair of scales, and set of standard weights, to be kept here 23 Geo. II. vi. 1

See STANDARD weights.

T H E E N D.

N n



## C A P. XI.

*An act to oblige the several collecting constables of the respective parishes of this island, in a summary manner, to pay over the public taxes into the hands of the receiver-general, or the receiver-general for the time being.*

Preamble.

**W**HEREAS many inconveniences have arisen, and may arise, to the public of this island, from the neglect and delay of the several collecting constables, in not regularly collecting and paying over the public taxes into the hands of the receiver-general for the time being: For remedy whereof, We, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly of this your island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That, from and after the thirty-first day of December, in the present year of our Lord one thousand seven hundred and seventy-two, all and every the collecting constable or constables of the several parishes of this island, to whom all and every the rolls for collecting the public taxes shall be delivered, shall, once in every two months, if thereunto required, during the time he or they shall continue collecting constable or constables, render a just and true account, upon oath, to the receiver-general, or the receiver-general for the time being, or his lawful deputy, of all sum and sums of money he or they shall have actually received on account of the rolls delivered to them for their respective parishes, and pay over the same into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy.

Collecting constables to account with, and pay monies to, receiver-general every two months, if required.

They are declared amenable to the supreme court;

the judges whereof, on complaint, are to make orders for defaulters to shew cause why attachments should not issue.

II. And be it further enacted by the authority aforesaid, That all and every the said collecting constable or constables of the several parishes of this island shall be, and they are hereby made, amenable to the supreme court of judicature of this island, for any neglect in them, in the same manner as the provost-marshal or his deputies are for neglect or non-execution of any writ or writs, with the execution whereof he or they are charged: And the judges of the said supreme court, upon complaint made to them, upon oath, by the receiver-general, or the receiver-general for the time being, or his lawful deputy, against such collecting constable or constables, for non-payment of such sum or sums of money as he or they shall have actually received on account of any roll or rolls for collecting the public taxes, and not accounted for as aforesaid, are hereby required and obliged to make an order on all and every such collecting constable or constables, against whom such



Such complaint shall be made, to shew cause, upon oath, why an attachment should not issue against him or them for not paying over, into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy, all sum and sums of money he or they shall have actually received on account of such roll or rolls; and in case such collecting constable or constables shall neglect or refuse to shew such cause, upon due proof of service of such order, the judges of the said supreme court are hereby required and directed to issue an attachment against such constable or constables so offending as aforesaid, and him or them to commit to the gaol of St. Jago de la Vega, where he or they shall remain, without bail or mainprize, until the several sums of money he or they shall have actually received on the several rolls be paid into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy: And the said receiver-general, or the receiver-general for the time being, is hereby empowered to take out a writ of *venditioni exponas* against the body and goods of the security or securities of each and every collecting constable so offending as aforesaid, in the same manner and form as if judgment had been obtained against him or them, and "execution levied" had been returned thereon; and shall mark, on such writ or writs, levies for such sums as such collecting constable or constables, so offending as aforesaid, shall have actually received: And the said receiver-general, or the receiver-general for the time being, or his lawful deputy, is hereby also empowered to take out the like writ or writs of *venditioni exponas* against the body and goods of each of the said collecting constables who shall not have been taken by virtue of the attachment aforesaid, after it shall have been lodged six days in the office of the provost-marshal of this island, and affidavit made that endeavours had been used to execute the same, and *non inventus* returned; or against the goods only of such who shall have been attached, in the same manner and form as herein before directed against their securities.

If cause not shewn, attachments are to issue, and constables be imprisoned at St. Jago de la Vega till money be paid.

Receiver-general is to take out *venditioni's* against their securities,

and against the persons and properties of constables not taken,

or property only of those attached.

III. And be it further enacted by the authority aforesaid, That when the receiver-general, or the receiver-general for the time being, shall complain to the said supreme court of judicature against any collecting constable or constables of the several parishes of this island, for neglecting or refusing to do his or their duty, agreeable to the true intent and meaning of this act, and shall be put to any expence in prosecuting such collecting constable or constables for such neglect or refusal, it shall and may be lawful for the said supreme court of judicature to adjudge and award such collecting constable or constables, against whom such complaint shall be made, to pay to the receiver-general, or the receiver-general for the time being, or his lawful deputy, all costs out of purse which he shall have been put to in prosecuting such collecting constable or constables (to be taxed by one of the judges of the said supreme court), and to compel payment of the same by attachment, writ of execution, or *venditioni exponas*, or by any other method the said court shall think proper.

Collecting constables are to reimburse receiver-general all expences of prosecution;

which grand court may enforce payment of, by attachment, execution, &c.

IV. And



If they neglect to account on oath,

or, where they have not received monies, to attest it,

they forfeit 10/. for each offence.

Recovery and application thereof.

In failure of distress, they are to be imprisoned till paid.

IV. And be it further enacted by the authority aforesaid, That in case any collecting constable or constables, of the several parishes of this island, shall neglect or refuse to render a just and true account, upon oath, to the receiver-general, or the receiver-general for the time being, or his lawful deputy, in manner as herein before directed (which oath the receiver-general, or the receiver-general for the time being, or his lawful deputy, is hereby empowered and required to administer), or, in case such collecting constable or constables hath or have not received any money on account of the said rolls delivered to him or them, such collecting constable or constables are hereby required to make oath thereof before the receiver-general, or the receiver-general for the time being, or his lawful deputy; and such collecting constable or constables neglecting or refusing to render such account, or make such oath as aforesaid, shall, for every such offence, forfeit the sum of ten pounds; to be recovered and levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of any two justices of the peace of such parish wherein such collecting constable or constables shall be appointed; and the same shall be paid into the hands of the receiver-general, or the receiver-general for the time being, to be by him applied towards defraying the contingent charges of the government of this island: And in case no goods and chattels of such collecting constable or constables, so offending as aforesaid, can be found sufficient to pay the said penalty, then, and in such case, such justices shall commit such collecting constable or constables to gaol, there to remain, without bail or mainprize, until he or they shall have paid such penalty.





